

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22368 of 2019**

Arising Out of PS. Case No.-49 Year-2018 Thana- GURARU District- Gaya

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ASHANANDAN KUMAR @ KAIL KUMAR, Son of Suresh Paswan,
Resident of Village - Tarouti, P.S.- Guraru, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7/ 01-08-2019

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Guraru P.S. Case No.49 of 2018** instituted for the offence under Section(s) 376 Indian Penal Code and Section 4 of the POCSO Act pending in the Court of the **Additional Sessions Judge, 1st cum Special Judge, POCSO Act, Gaya.**

In the written report, it is alleged that informant had gone for attending call of nature. The petitioner forcibly took her in maize field and committed rape with her on 15.03.2018 at 7.00 PM.

Case diary has been received, wherein, medical report of the victim is available. Victim has been medically examined on 16.03.2018 at 4.00 PM. The doctor has mentioned in the



medical report that victim has been found to be 17 years 6 months old. Small tear in hymen not more than one day old was found which was due to penetration of some hard blunt object or intercourse.

The victim in her statement under Section 164 Cr.P.C. has supported the allegation against the petitioner.

Therefore, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected at this stage.**

Petitioner is in custody since 13.08.2018.

The trial Court is directed to expedite the trial and make all efforts to conclude the same as early as possible, preferably, within a period of nine months from the date of receipt of a copy of this order.

Liberty is given to the petitioner to renew his prayer for bail after nine months, if no substantive progress is made in the trial.

(Sanjay Priya, J)

J. Alam/-

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