

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6477 of 2015

Arising Out of PS.Case No. -29 Year- 2014 Thana -MAHILA PS District- KATIHAR

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1. Mohan Yadav S/o Satya Narayan Yadav of village- Udamarekha, P,S-
Mufassil Katihar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 01-04-2015 Heard both sides.

The petitioner seeks bail in Katihar Mahila P.S. Case
No. 29 of 2014, registered for the offences punishable under
Section 376 and other Sections of the Indian Penal Code.

The prosecutrix made allegation that while she was
working in the field of the petitioner, the petitioner committed
rape with her on 21.07.2014 and also threatened not to disclose the
same from any other, but again the petitioner made an attempt to
commit rape with her on 31.07.2014, thereafter the case was
lodged.

Shri Yogesh Chandra Verma, the learned Sr. counsel
submitted that the first occurrence is of 21.07.2014, but the victim
did not inform anybody. On mere pretext that she was threatened

the case was lodged after 15 days of the occurrence. The doctor did not find any sign of rape.

On the other hand learned counsel for the informant opposed the prayer for bail and submitted that during the course of investigation almost all the witnesses have supported the version that the petitioner committed rape with the victim.

Having considered the facts aforesaid and the fact that there is allegation that the petitioner committed rape and all the witnesses have reiterated the same facts, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within six months from the date of receipt/production of a copy of this order, if the trial is not concluded within the stipulated period the petitioner may renew his prayer for bail firstly in the trial court.

(Prabhat Kumar Jha, J.)

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