

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3466 of 2015

Arising Out of PS.Case No. -402 Year- 2014 Thana -NARPATGANJ District- ARRARIA

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1. Munna Yadav Son of Deo Narayan Yadav Resident of vill-Khaira,
Gadhiya,P.S-Narpatganj,Distt.-Araria(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 20-04-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

There is specific allegation of rape against the
petitioner and in course of investigation, witnesses supported the
prosecution story.

The contention on behalf of the petitioner is that
according to prosecution case itself, the alleged occurrence took
place on 03-10-2014 but the informant lodged this case on 10-10-
2014 and no explanation of the aforesaid delay has been given. It
is further contended by him that the medical report of the
informant also does not support the allegation as no sign of rape
was found on her person. It is contended by him that the first
information report as well as statement of witnesses tells a

different story and the informant might have received injury elsewhere but due to village politics, she lodged this case.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I am not inclined to extend the privilege of bail to the petitioner and, accordingly, his prayer for bail in connection with Narpatganj P.S. Case No. 402 of 2014 pending in the court of Sri Kumar Gunjan, Judicial Magistrate-Ist Class, Araria stands rejected at least, at this stage.

However, the concerned court is directed to commit the case of the petitioner to the court of Sessions in accordance with law within two weeks from the date of receipt/production of copy of order, if the same has not been committed to the court of Sessions and after commitment, the concerned Court should expedite the trial of the petitioner and try to conclude the same as early as possible.

A.K.V./-

(Hemant Kumar Srivastava, J)

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