

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28511 of 2015

Arising Out of PS.Case No. -250 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

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1. Saheb Alam @ Sahab Alam Son of Amir Alam @ Amir Ali resident of village - Reodha Sabzi Chowk, P.S. - Jalley, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-10-2015 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 376 and 313/34 of the I.P.C

Allegedly, on the pretext of marriage the petitioner used to commit rape with the informant at different places and when she became pregnant the petitioner refused to solemnize marriage and by medicine got the pregnancy aborted against her will.

Submission is of false implication and that the informant is major lady. The case has been lodged on the basis of complaint petition and she is the consenting party and only with a view to pressurize the petitioner to compel him for marriage this

false case has been lodged.

The learned A.P.P. duly assisted by learned counsel for the informant opposes prayer for bail of the petitioner by submitting that the petitioner has committed heinous offence and the witnesses have supported the allegation during investigation.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Bahadurpur P.S. Case No. 250 of 2014 pending in the Court of C.J.M. Darbhanga.

However, the trial court is directed to expedite the trial and to conclude the same as per amended proviso of section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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