

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33605 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -DANDKHORA District- KATIHAR

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1. Md. Farook @ Babloo @ Md. Faruque son of Lookman resident of village Raipur, P.S. Dandkhora, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Samdarshi

For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 376 of the Indian Penal Code and Section 4 of POSCO Act.

As per the prosecution story, the petitioner is alleged to have committed rape upon the informant and when a Panchayati was held, he refused to accept the advice of the Panch to solemnize marriage with the victim lady.

There is no criminal antecedent against the petitioner. The petitioner is in custody since 02.04.2015. Charge-sheet has already been submitted in this case. There is no allegation of tampering with the evidence. Petitioner is said to have been falsely

implicated for the reason that the father of the victim wanted to get marriage of the victim performed with the petitioner but the same was not acceptable to the petitioner and his family members.

It has been submitted on behalf of the State that the petitioner is named in the First Information Report and victim has also named the petitioner in her statement recorded under Section 164 of the Cr. P.C.

From perusal of the medical report, it appears that the age of the victim is minor. Though the doctor has not found any sign of rape upon the victim.

Considering the aforesaid facts and circumstances of the case, I am not inclined to the grant bail to this petitioner and the same is rejected.

Anyhow, the Trial Court is directed to take all necessary steps to conclude the trial preferable within a period of six months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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