

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45067 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -MAHILA P.S. District- PATNA

=====

1. Raj Dablu Son of Md. Alim Resident of Mohalla - Agarwal Tola,
Alamganj, P.S. Alamganj, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Irshad Ahmad Khan

For the Opposite Party/s : Mr. Ashok Kumar Singh-1(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Special
Case No. 101/15 arising out of Mahila (Gandhi Maidan) P.S. Case
No. 28 of 2015 registered for the offences punishable under
Sections 376 of the Indian Penal Code and 4/6 of the POCSO Act.

Allegedly the petitioner took the informant to Golghar
and thereafter at a lonely corner of Golghar premises raped her
and on alarm being raised, the guard caught the petitioner.

Submission is of false implication and that due to
previous enmity, the petitioner has been implicated. The
prosecution story does not appear to be probable and reliable. The
petitioner is a tailor and he had stitched the clothes of family

members of the informant on credit and when he demanded the wages he has been implicated falsely. Medical evidence also does not support the prosecution version and now the informant has filed compromise petition in the court below.

The learned A.P.P. seriously opposes the prayer of bail by submitting that in the statement of the victim recorded under Section 164 of the Cr.P.C. she has supported the allegation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail and, as such, prayer stands rejected.

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

(Jitendra Mohan Sharma, J)

sushma/-

U			
---	--	--	--