

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6821 of 2015

Arising Out of PS.Case No. -116 Year- 2014 Thana -ISHOPUR District- BHAGALPUR

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Dhena Ansari Son of Md. Mansoor Ansari resident of village - Shampur,
P.S. Ishipur Barahat, District - Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Surendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-03-2015 Heard both sides.

The petitioner seeks bail in Ishipur Barahat P.S. Case No. 116/2014 registered for the offence under Section 376 and other sections of the Indian Penal Code.

The victim herself alleged that while she had gone to ease out, the petitioner started committing rape with her, but in the meantime, her fufa came and seeing the light of cell, the petitioner left the victim and fled away.

Bhola Prasad, learned counsel for the petitioner submits that no rape was committed. The date of occurrence is 10.10.2014, but the FIR was lodged on 12.10.2014. There is two days delay in lodging the case. The victim and her family members were pressurizing the petitioner to get marry with the

victim. The doctor did not find any sign of rape and assessed her age below 18 years.

On perusal of the record, it appears that the victim made specific allegation against the petitioner that he put her down and started committing rape with her, but when her fufa came, petitioner fled away leaving her at the place of occurrence.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail.

The trial court is directed to expedite the trial and conclude the same as soon as possible 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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