

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30714 of 2015

Arising Out of PS.Case No. -330 Year- 2014 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Bablu Singh son of Sri. Nawal Singh, R/V Parora, P.S. Sahebpur Kamal,
Distt. Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Jha

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sahebpur Kamal P.S. Case No. 330 of 2014 registered for the offences punishable under Sections 341, 323, 376 of the Indian Penal Code and Section 3(i)(x) and 3(2)(v) of SC/ST Act.

Allegedly the petitioner after assaulting the informant committed rape with her forcibly after putting saree in her mouth and when the petitioner tried to flee away then after alarm being raised by the informant, her husband also came there and saw the petitioner fleeing away.

Submission is of false implication and that the F.I.R. has been lodged after delay. Medical evidence does not support the allegation of rape and the petitioner is suffering in custody

since 30.01.2015, however the case has been compromised and the informant is not willing to support her case and, as such, now he deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that the informant has been examined under Section 164 Cr.P.C. also wherein she has supported the allegation of rape.

In the facts and circumstances 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, 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)

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