

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39978 of 2015

Arising Out of PS.Case No. -623 Year- 2013 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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AALE IMAM @ DULARE @ ALI IMAM son of Sri Saiyad Murteza, R/o
village- Siswan, P.S.- Banjaria, District- East Champaran Petitioner

Versus

The State of Bihar..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 26-08-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Earlier prayer for bail of the petitioner was rejected by
this Court vide order dated 24.09.2014 passed in Cr. Misc. No. 34974
of 2014 and now he has renewed his prayer for bail on the ground that
he is suffering in custody since 01.12.2013 and as a matter of fact it was
a consented sex to which the learned APP opposes.

Considering the statement of the victim recorded
under Section 164 Cr.P.C. that the petitioner committed rape forcibly,
as such, finding no good ground for reconsideration of prayer for bail of
the petitioner, the same is again hereby rejected in connection with
Turkaulia P.S. Case No. 623 of 2013.

However, the court below is directed to expedite the
trial in view of amended proviso of Section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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