

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41977 of 2014

Arising Out of PS.Case No. -135 Year- 2014 Thana -KASBA District- PURNIA

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1. Dilip Yadav S/o Kusum Lal Yadav Resident of Village- Ratan Soti. P.S.-
Kasba, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-02-2015

Heard both sides.

The petitioner seeks bail in Kasba P.S. Case No.
135 of 2014 registered under section 376 of the Indian Penal
Code.

The victim alleged that one day she was alone
in her house in the night. The petitioner entered into the house
and committed rape with her.

Learned counsel for the petitioner submits that
the victim is major and aged about 30/35 years. The doctor did
not find any sign of rape. During the course of investigation the
witnesses have also stated that on account of land dispute the
victim was set up to lodge the case against the petitioner. It
appears that the victim has made very specific allegation against

the petitioner that in the dead night he entered in her house and committed rape. Hence I am not inclined to enlarge the petitioner on bail. The same is accordingly rejected. However, the trial court is directed to expedite the trial and conclude the same within six months from the date of receipt/production of a copy of this order. If the trial is not concluded within the stipulated time the petitioner may renew his prayer for bail firstly before the trial court.

(Prabhat Kumar Jha, J)

M.Rahman/-

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