

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14134 of 2016

Arising Out of PS.Case No. -129 Year- 2014 Thana -SIDHWALIA District- GOPALGANJ

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Anil Kumar Sah Son of Mahendra Sah, Resident of Village- Kalyanpur
Mathiya, Police Station- Sidhwaliya, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Ajay Kumar 1 (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 12-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with
Sidhwalia P.S. Case No. 129 of 2014 registered for the offences
punishable under Sections 328, 306 and 376/34 of the Indian
Penal Code and Section 27 of Arms Act.

Allegedly, marriage of Janki Kumari, the sister of
the informant was going to be settled with the petitioner and for
that the petitioner proposed to see the girl himself and on that
plea, the petitioner and his friend came at the house of the
informant and in the night called the sister of the informant to
provide water and then developed sexual relation with her and

thereafter refused to marry with her resulting the sister of the informant consumed poison and finished herself.

Submission is of false implication and that the prosecution story appears not probable and reliable, only on suspicion, the petitioner has been implicated in the case and there is no legal and tangible material against the petitioner. Medical evidence does not support the allegation of rape and without any tangible material, the petitioner is suffering in custody since 06.01.2016.

Learned APP opposes the prayer of bail by submitting that due to illegal act committed by the petitioner, the sister of the informant committed suicide and this fact has been supported by the informant and other witnesses during investigation also.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sidhwalia P.S. Case No. 129 of 2014 pending in the Court of learned Judicial Magistrate 1st Class, Gopalganj.

However, let the trial be expedited and concluded preferably within 9 months from the date of receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J)

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