

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58366 of 2015

Arising Out of PS.Case No. -189 Year- 2015 Thana -KASBA District- PURNIA

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EKRAM @ MD. EKRAM Son of Isalm, Resident of Village - Ramnagar,
P.S.- Amour, District - Purnea

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anjum Perveen, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-03-2016 Heard learned counsel for the petitioner and

learned A.P.P. representing the State.

The petitioner seeks bail in connection with Kasba
P.S. Case No. 189 of 2015 registered for the offences
punishable under Sections 328, 376, 323, 341 with 34 of the
Indian Penal Code and Section 3(iii), (xi), (xii) of the SC/ST
Act.

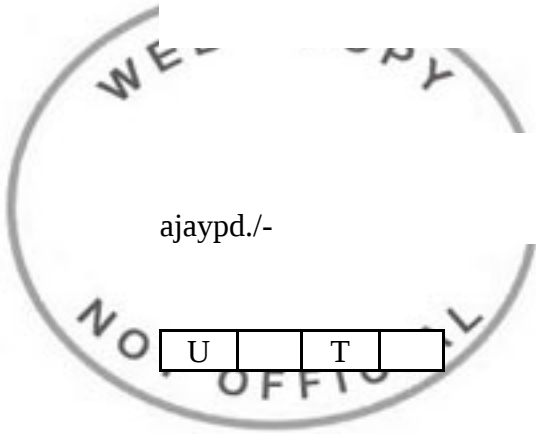
Allegedly, in Auto No. BR 11J-8514, the driver
and other associates kidnapped the informant and in the auto,
they made her senseless and thereafter the informant was raped
and left her in half naked condition at village Ramnagar and her

husband came there and brought her to hospital. During investigation, it transpires that the petitioner and co-accused Mantisir @ Moharm brought the victim in a tempo bearing number BR 11J-8514 in unconscious state, there was a child also and the lady having injuries .

Submission is of false implication and that the petitioner has also been examined by the Doctor but the Doctor has not found the result positive, the victim has also been examined but no spermatozoa was found, the petitioner has been arrested in this case on 23.07.2015 but he has not been put on T.I.P. and as such the petitioner deserves sympathetic consideration, to which the learned Special Public Prosecutor opposes by submitting that the witness Sabina Khatoon as referred in para 16 of the case diary stated that the petitioner and Mantisir @ Moharm brought the victim in that tempo and further the victim in her statement recorded under Section 164 Cr.P.C. has stated the registration number of the tempo.

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, his such prayer stands rejected.

However, considering the detention of the petitioner,
let the trial be expedited.



(Jitendra Mohan Sharma, J.)