

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46375 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -DAGARUA District- PURNIA

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1. Md. Samrul Son of Md. Gulam Mustafa, Resident of Village:
Bachharahat, Police Station- Dagarawa, District: Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishwanath Prasad Singh

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The application is for grant of bail for the offence under
Sections 341, 323, 376, 504 and 506/34 of the Indian Penal Code.

The allegation against the petitioner is that he has
committed rape upon the informant also and it continued for six
months on the assurance to the informant that he will marry her.

It has been submitted on behalf of the petitioner that the
petitioner has been falsely implicated in this case on account of
land dispute between the parties and also because of delay in
lodging the F.I.R. for about six months.

It is further submitted that the petitioner is a married
person and only with a view to put pressure upon him, the present
case has been lodged.



The informant has been impleaded as Opposite Party No.2 and the notice was issued to her.

Heard learned A.P.P. and the learned counsel appearing for the Opposite Party No.2.

Learned counsel for the informant has submitted that in the case diary, other witnesses have also stated about the involvement of the accused persons and it also appears that a panchayati was held but the petitioner refused to marry her and the family members of the petitioner assaulted the parents of the informant.

Having heard both sides. I am not inclined to grant bail to the petiotnerr accordingly the same is rejected, however, in view of the fact that the petitioner is in custody since 23.08.2016, the court below is directed to expedite the process of commitment and trial of the case and dispose of the same within a period of nine months.

(Vinod Kumar Sinha, J)

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