

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29454 of 2016

Arising Out of PS.Case No. -26 Year- 2015 Thana -MAHILA PS District- JEHANABAD

Sanjit Kumar, son of Late Raj Kisore Thakur, Resident of Village-
Sabalpur, P.S.- Rampur Chauram, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Mahila P.S. case No.26 of 2015 instituted for the offence under Section 376 of the Indian Penal Code, pending in the court of Sub Divisional Judicial Magistrate, Arwal.

The prosecution case, in brief, is that on 22.10.2015 at 5 A.M. in the morning while the informant was sleeping in her residence, the petitioner entered into her house and committed rape upon her. When she raised alarm, he fled away and her mother has also seen the occurrence.

A report was called for from the Court below regarding the stage of the case. The same has been received. It has been reported that within a period of six months the trial is expected to

be concluded.

It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated in the present case. The medical examination report of the victim does not support the allegations made in the F.I.R.

On behalf of the State, it is submitted that the victim has supported the allegations recorded in her statement under Section 164 Cr.P.C. The Counsel for the informant submits that during the trial the victim has been examined as a prosecution witness and she has supported the allegations.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Court below is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

Narendra/-

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