

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33575 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -BAHADURGANJ District- KISANGANJ

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1. Abdul Khan @ Md. Abdul Khan son of Jamal Khan resident of Village-
Koimari, Police Station- Bahadurganj, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh-Advocate

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh-1-A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

02 17-08-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

Petitioner is the rapist.

It has been submitted on behalf of petitioner that

there happens to be delay of seven months and on account thereof,
prosecution case should not be accepted. Apart from this, it has
also been submitted that one of the witnesses during course of
investigation had stated that victim happens to be vagabond lady
as well as is of questionable character. He has further stated that
victim does not happen to be of sound mind. Only for the purpose
of marriage, which the petitioner had refused, instant case has
been filed levelling false and fabulous allegation.

On the other hand, learned Additional Public

Prosecutor opposed the prayer.

Rape was committed by the petitioner over the informant, who happens to be minor and that being so, I do not see it a fit case for grant of bail.

Accordingly, prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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