

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50531 of 2016

Arising Out of PS.Case No. -62 Year- 2016 Thana -MADHUBANI TOWN District- MADHUBANI

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Anil Kumar S/o Kishore Prasad @ Kishori Prasad Resident of Village-
Mamurabad, P.S.-Nalanda, District-Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Smt. Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 328, 307, 363, 376D, 34 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act.

Allegation against petitioner is to have committed rape upon informant.

It has been submitted on behalf of petitioner that he has falsely been implicated in the present case. He is in custody since 30.7.2016. Chargesheet has been submitted against petitioner. There is no allegation of tampering of witnesses against petitioner. Allegation made in the F.I.R. is denied by petitioner. Allegation of rape is also not definite as per the medical report.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. There is specific allegation of commission of rape. The victim has been examined under Section 164 of the Code of Criminal Procedure where she has supported the allegation made in the F.I.R.

Considering the aforesaid facts and circumstances, I am

not inclined to grant bail to the petitioner, same is rejected.

Any how, the court below (Ist Additional Sessions Judge, Madhubani) is directed to take necessary steps to expedite the trial in connection with G.R. Case no. 13 of 2016 arising out of Town P.S. Case no. 62 of 2016.

(Sudhir Singh, J)

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