

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54176 of 2015

Arising Out of PS.Case No. -107 Year- 2015 Thana -NARPATGANJ District- ARRARIA

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Kapil Kumar Mehta, Son of Surya Nand Mehta, Resident of Village-
Pathardeva, P.S.- Narpatganj, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 21-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Narpatganj (Bathnaha) P.S. Case No. 107 of 2015 registered for
the offence punishable under Section 376 of the Indian Penal
Code.

Allegedly, Kiran Kumari aged 12 years was raped by
the petitioner.

Submission is of false implication and that doctor has
not found any external injury and spermatozoa was also not found
and due to land dispute the petitioner has been implicated, the
F.I.R. has also been lodged after delay and now the victim and her
father are not ready to support the prosecution version.

Learned A.P.P. opposes the prayer of bail by submitting the other witnesses have also supported the prosecution version.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this Court is not inclined to enlarge the petitioner on bail accordingly, his prayer stands rejected.

However, after examination of the victim girl and her father during trial, the petitioner may renew his prayer for bail.

Learned court below is directed to expedite the commitment of the case and thereafter the learned trial Judge shall expedite the trial as per amended proviso to Section 309 Cr.P.C.

(Jitendra Mohan Sharma, J)

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