

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5349 of 2016

Arising Out of PS.Case No. -287 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Ravi Raj @ Ravi Kumar @ Ravi Kumar Sah, Son of Shri Shyam Sah,
Resident of Village- Bikramshila, Police Station- Kahalgaon, District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushottam Kumar Das, Advocate
For the Opposite Party/s : Mr. A.L. Pandit (App)

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

3 31-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kahalgon
P.S. Case No. 287 of 2015 registered for the offences punishable
under Sections 420 and 376/ 34 of the Indian Penal Code.

Allegedly, the informant having love affair with the
petitioner, developed physical relationship on the assurance to
marry with her and in the process, both continued physical
relationship resulting, the informant became pregnant but now the
petitioner refused to marry with her.

Submission is of false implication and that no offence
under Section 376 IPC is made out, the informant being major

one, agreed to develop physical relationship with consent and without any fault, the petitioner is suffering in custody since 27.11.2015, the petitioner has filed complaint case no. 1580/15, other co-accused have already been allowed pre-arrest bail by the learned court below itself and, as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that after giving false assurance of marriage, the petitioner developed sexual intercourse with the informant on several occasions and when she became pregnant, the petitioner denied to marry with her and, as such, from very beginning the intention of the petitioner was to commit rape with the informant, after giving false assurance of marriage.

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

However, the trial court is directed to expedite the trial and conclude the same as per amended proviso of Section 309 Cr.P.C.

(Jitendra Mohan Sharma, J)

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