

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.432 of 2017

Arising Out of PS.Case No. -328 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Tauqueer Alam, son of Sabir Ali, resident of mohalla-Purani Bazar
Narkatiaganj, P.S.-Shikharpur

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 22-06-2017 The appellant seeks regular bail in connection with Shikarpur P.S. Case No.328 of 2016 registered for the offences punishable under Sections 376, 420 and 307 of the Indian Penal Code, Section 27 of the Arms Act, Section 67 of the I.T. Act and Section 3(2) (v) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegation against the appellant, as per the FIR, is that he has made illicit relation with the daughter of the informant and made a videography also of the same and there is allegation that he has committed rape upon her also.

It has been submitted on behalf of the appellant that no such occurrence has taken place and as a matter of fact the informant has executed Mahdana in the year 2014 and taken



Rs.13,50,000/- and Rs.2 lacs later on. Neither he is executing the sale deed nor returning the money, as such, present case has falsely been lodged by the informant. It has also been submitted that as per the informant occurrence is of the May, 2016, but the FIR has been lodged after three months, that also shows the falsity of the present case and he is in custody since 24.07.2016.

Heard learned Special P.P. also as well as learned counsel for the informant. They have opposed the prayer for bail and stated that as the appellant has manufactured the videography of the daughter of the informant in some objectionable position, as such, due to fear the informant has not lodged the case earlier and in this connection they have drawn my attention towards paragraph 9 of the case diary which shows that a mobile has been recovered from the house of petitioner and seizure list has been prepared.

Having heard both sides, in view of the facts and circumstances as stated above, I am not inclined to grant bail to the appellant, rather learned trial court is directed to expedite the trial and conclude the same within a period of one year from the date of receipt/production a copy of this order.

As the learned counsel for the informant is present in Court, it is expected that all the parties will cooperate in disposal



of the case.

With the above observations, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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