

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33667 of 2017

Arising Out of PS.Case No. -242 Year- 2016 Thana -GAYA KOTWALI District- GAYA

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Chandan Kumar, son of Ram Swaroop Sharma, resident of Mohalla-
Sevadal Road Sampat Gate, P.S.- Vishnupad District Gaya, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Sessions Trial No. 39 of 2017, arising out of Kotwali P.S.Case No.
242 of 2016, registered for the offences punishable under Sections
366A and 376/34 of the Indian Penal Code.

Allegation against the petitioner is of committing rape
on the victim girl along with one co-accused.

It has been submitted on behalf of the petitioner that
as a matter of fact, there was love affairs between the victim girl
and co-accused and material also shows that co-accused has given
her a mobile phone and thereafter they have falsely implicated this
petitioner in this case on the basis of suspicion and he is in custody
for more than one year.



Heard learned APP also.

Having heard both sides and from perusal of the record it appears that the case has been committed and the case is pending for argument on the point of charge and it also appears that defence is not ready to argue on the point of charge, in such view of the matter, learned lower court is directed to dispose of the application of the petitioner, if any, on the point of charge and if charge has been framed, learned trial court is directed to conclude the trial within nine months.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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