

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38077 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -BAHADURGANJ District- KISANGANJ

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1. Md. Shahjahan @ Sajan Son of Md. Khalid Resident of Village -
Chakandra (Desiyatoli), P.S. Bahadurganj, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sahnagi Begam wife of Md. Shahjahan @ Sajan, D/o Razabul Rahman
Resident of Village - Lohia Kander, (Chikabari), P.S. Bahadurganj, District
- Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-08-2017 Heard the parties.

This application is for grant of regular bail in connection with Bahadurganj P.S.Case No.73 of 2017 , registered for the offences punishable under Sections 457 and 376 of the Indian Penal Code and Section 4 of POCSO Act, 2012.

Allegation against the petitioner is of commission of rape against the petitioner of the informant.

Submission of the learned counsel for the petitioner is that now both the parties have compromised the case outside the court. The petitioner is in custody since 2.6.2017.

Heard learned A.P.P. and the learned counsel for the informant.



Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner, however, the learned trial court is directed to expedite the trial and once the evidence of the prosecutrix is recorded, the petitioner may renew his prayer for bail before the court concerned itself, who will consider the prayer for bail of the petitioner on the basis of materials available at that time.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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