

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2423 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -SHANKARPUR District- MADHEPURA

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1. Santosh Yadav S/o Bidyanand Yadav, resident of Village- Kabiya
Maura Baghala, P.S. Shankarpur, District- Madhepura.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amarnath Jha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-08-2017 The appellant seeks regular bail in connection with

Shankarpur P.S. Case No. 17 of 2017, registered for offences

punishable under Sections 376(D), 506 and 34 of the Indian Penal

Code, and Section 3(1)(w)(ii) of SC/ST (POA) Act.

Allegation against the appellant and other accused
persons is of committing rape on the informant.

It has been submitted on behalf of the appellant that he
has falsely been implicated in this case and no such occurrence has
ever taken place. Further now a compromise has been reached
between the parties and informant has filed a compromise petition
in the court below stating that she has filed this case mistakenly.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and



circumstances of the case and is there is direct allegation against the appellant is of committing rape on the informant, I am not inclined to release the appellant on bail. However, learned Trial Court is directed to expedite the trial and try to conclude it as soon as possible and once the informant (prosecutrix) is examined in this case, appellant may renew his prayer for bail in the special court itself, which will be considered by the special court on the basis of materials available on record and he shall pass an appropriate order, without being prejudiced by the order of this Court.

With the above observation this appeal is disposed of.

(Vinod Kumar Sinha, J)

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