

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41495 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -DIGHA District- PATNA

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Md. Arzoo, son of Md. Sagir, resident of Mohalla - Digha Jamakharji
Masjid Gali, P.S. - Digha, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar

For the Informant : Mr. Mahes Prasad

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Digha
P.S. Case No. 138 of 2017 registered for the offences punishable
under Section 367 of the Indian Penal Code and 3/4 of Dowry
Prohibition Act.

Allegation against the petitioner is of committing rape
upon the informant.

Submission of learned counsel for the petitioner is that he
has falsely been implicated in this case and still the petitioner is
ready to marry her and he is in custody since 3.6.2017.

Heard learned APP and learned counsel for the
informant, who have opposed the prayer for bail on the ground
that there is direct allegation against the petitioner.



Having heard both sides and in view of allegation and offence is not compoundable, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial and once evidence of informant is concluded, petitioner may renew his prayer for bail before the court below.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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