

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2330 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -SABOUR District- BHAGALPUR

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Md. Danish, son of Md. Razi, resident of Village- Rajpur, P.S. Sabour,
District- Bhagalpur.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Praveen Kumar

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-10-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of bail in connection with Sabour P.S.Case No. 79 of 2017 registered for the offences punishable under Sections 366A, 376 of the Indian Penal Code and 3(i)(r), 3(ii) (va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 7.7.2017 passed by 2nd Additional District and Sessions Judge-cum-Special Judge, Bhagalpur.

Allegation against the appellant is of kidnapping the minor daughter of the informant and also committing rape upon her.

Submission of learned counsel for the appellant is that no such occurrence has taken place and he has falsely been implicated



in this case and furthermore he is in custody for about six months.

Heard learned Special P.P. also, who has opposed the prayer for bail stating that the victim has also supported the allegation in her statement under Section 164 Cr.P.C.

Having heard both sides and in the facts and circumstances of the case, I am not inclined to grant bail to the appellant.

However, since the appellant is in custody for about six months, learned Special Judge is directed to expedite the trial and try to conclude it within a period of nine months.

With the above observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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