

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2846 of 2017

Arising Out of PS.Case No. -32 Year- 2016 Thana -ISHAKCHAK District- BHAGALPUR

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Sintu Kumar @ Sintu Mandal @ Sinta, son of Parmeshwar Mandal @ Paro Mandal, resident of Village-Bishanpur Jichho, P.S.-Lodhipur, District-Bhagalpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Ishakchak (Tilkamanjhi) P.S.Case No. 32 of 2016 registered for the offences punishable under Sections 376/34 of the Indian Penal Code and Section 4 of POCSO Act.

It has been submitted on behalf of the petitioner that so far as allegation is concerned, there is no allegation against the petitioner of committing rape. Further it has been submitted that materials come in the case diary do not support the prosecution case and petitioner has falsely been implicated in this case. It has further been submitted that medical report does not support the prosecution case.

Heard learned APP also.



Having heard both sides and considering the materials on record that the petitioner along with others are named in the FIR and the allegation against petitioner is of assisting the main accused for committing rape, I am not inclined to grant bail to the petitioner. Prayer for bail is rejected.

However, since the petitioner is in custody for seven months, learned court below is directed to expedite the trial and conclude the same within nine months. If the trial is not concluded within the said period, the petitioner may renew his prayer for bail.

(Vinod Kumar Sinha, J)

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