

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6449 of 2017

Arising Out of PS.Case No. -143 Year- 2016 Thana -SABOUR District- BHAGALPUR

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MD. ABUTALHA @ ABUTALHA, son of Molbi Haidar @ Melan,
resident of Village- Daharpur, P.S.- Goradih, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Sabour (Goradih) P.S.Case No. 143 of 2016, corresponding to G.R.No.2739 of 2016, registered for the offences punishable under Sections 396 of the Indian Penal Code and 3/4 of POCSO Act.

It has been submitted on behalf of the petitioner that FIR is contrary to the statement made under Section 164 Cr.P.C. so far statement of victim is concerned and further it has been submitted that medical report also does not support the prosecution case as no recent injury was found on the person of the informant. It has further been submitted that in paragraphs 69 and 70 of the case diary independent witnesses have not supported the prosecution case and furthermore there is 18 days delay in



filing the case.

Heard learned APP also, who has opposed the prayer for bail.

Having heard both sides and from perusal of the statement recorded under Section 164 Cr.P.C. of the victim and some witnesses have supported the prosecution case, I am not inclined to grant bail to the petitioner.

However, trial court is directed to expedite the trial of the petitioner.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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