

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12925 of 2017

Arising Out of PS.Case No. -194 Year- 2016 Thana -KOCHADHAMAN District- KISANGANJ

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Md. Alam, son of Naushad Alam @ Naushad Ali, Resident of Village-
Bhabaniganj, Police Station- Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-05-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is languishing in custody for the offences punishable under Sections 363, 366A and 120/34 of the Indian Penal Code and subsequently Sections 6, 8, 12 and 18 of the POCSO Act was also added.

Allegation is of inducement of the victim girl with intent to marry with her and thereafter to sell her in trade market. The victim girl in her statement under Section 164 Cr.P.C. alleged that all the named accused persons including the petitioner committed rape against her and they sold her for prostitution.

Submission of the petitioner is that the case diary would reveal that in the past the victim girl had fled away. She is



habitual and just to pressurize for fulfillment of her illegal demand she has lodged the case and made statement against the petitioner. The petitioner is in custody since 20.09.2016.

Considering the statement of the victim girl making serious allegation of rape against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail in connection with Kochadhaman P.S. Case No.194 of 2016 pending in the court of learned Special Judge, Kishanganj is refused.

The learned trial court is directed to expedite the trial and conclude the same preferably within nine months from the date of receipt of a copy of this order, failing which the petitioner would be at liberty to renew his prayer for bail before the court below itself.

Arvind/-

(Birendra Kumar, J)

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