

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.409 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -MAHILA PS District- GAYA

=====

1. Sheo Kumar Son of Late Pun Singh, Resident of Village-Dandi Bagh,
Rajkumar Nagar, Raod No.-1, P.S.-Vishnupath, District-Gaya

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Ahay Kr. Thakur

Mr. Nilesh Kumar, Advocates

For the Informant : Mr. Sunil Kumar Yadav, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-05-2017

Heard learned counsel for the appellant.

The appellant seeks regular bail in connection with Mahila (Gaya) P.S. Case No. 79 of 2016, registered for offences punishable under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act and Section 3(1)®/3(1)(w)/3(2)(V) of the SC/ST (Prevention of Atrocities) Act.

The allegation against the appellant is that he had committed rape upon the informant. It is further alleged that thereafter the villagers assembled and they had caught the appellant.

It has been submitted on behalf of the appellant that the occurrence has taken place on 25.11.2016 but the FIR has been lodged after three days on 28.11.2016. It has further been



submitted that the informant's aged as per the FIR is 15 years but the Doctor has found her age as 19 years. The appellant is in custody since 28.11.2016.

Heard learned Spl. P. P. and learned counsel for the informant. They have opposed the prayer stating that there is direct allegation against the appellant.

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

However, in view of the fact that the appellant is in custody since 28.11.2016, the learned Special Court is directed to expedite the trial of the appellant.

With the aforesaid observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

S.Pandey/-

U		T	
---	--	---	--

