

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26029 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -MAHILA PS District- JEHANABAD

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Pawan Kumar, son of Manoj Prasad, resident of Village- Mehara, Police
Station- Ghoshi, District- Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Ms. Asha Kumari, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 11-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Jehanabad Mahila P.S.Case No. 68 of 2016 registered for the
offences punishable under Sections 376 of the Indian Penal Code
and 4 of POCSO Act.

Allegation against the petitioner is of committing rape
of the daughter of the informant.

It has been submitted on behalf of the petitioner that
whole prosecution case is not believable and appears to be false
and concocted and he has been falsely implicated in this case due
to village politics. It has further been submitted that in paragraph-
22 of the case diary I.O. has examined some villagers, who have
stated that occurrence took place on 7.10.2016 and name of co-
accused Chandan Kumar has taken and not the petitioner, which



shows falsity of the case and petitioner is in custody for nine months.

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

Having heard both sides and from perusal of record it appears that prosecutrix as well as by informant had supported the case in her evidence and charge-sheet in this case has been submitted against the petitioner, as such, I am not inclined to grant bail to the petitioner.

However, as the petitioner is in custody for the last nine months, learned trial court is directed to expedite the trial of the petitioner and try to conclude the same within a period of six months and at the same time Superintendent of Police, Jehanabad is directed to ensure presence of the witnesses in court on the date fixed, so that trial be concluded within the said period, otherwise petitioner will be at liberty to renew his prayer for bail.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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