

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.29352 of 2017**

Arising Out of PS.Case No. -89 Year- 2016 Thana -MAHILA PS District- KATIHAR

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Shubham Kumar Sah @ Chotu, son of Late Raj Kumar Sah, Resident of Village- Azam Nagar, Gudri Tola, Ward No.1, Police Station- Azam Nagar, District- Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance:**

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Prem Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      18-07-2017      Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner seeks regular bail in connection with Mahila P.S. Case No. 89 of 2016, registered for the offences punishable under sections 376, 504, 506/34 of the Indian Penal Code and section 4 of the POCSO Act.

Allegation against the petitioner is of committing rape on the victim girl.

Submission of learned counsel for the petitioner is that FIR itself shows that occurrence is of one year back and there is several contradictions in the statement under section 164 Cr.P.C. as well as in FIR. It has also been submitted that the father and mother of the girl has admitted that there was love affair between



the petitioner and the victim.

Heard learned APP also.

Having heard both sides, in view of the facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage. As such prayer for bail of the petitioner is rejected. However, learned trial court is directed to expedite the trial of the petitioner and conclude the same within a period of nine months. If the trial is not concluded within the aforesaid period, the petitioner is at liberty to renew his prayer for bail before the court below who will pass appropriate order on the basis of materials available on record.

This application is accordingly dismissed.

**(Vinod Kumar Sinha, J)**

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