

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15297 of 2017

Arising Out of PS.Case No. -500 Year- 2016 Thana -SHASTRINAGAR District- PATNA

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1. Deepak Kumar Das S/o Late Gulab Ram, Resident of B.T.O., Near Shiv Mandir, P.O.+P.S.-Dhurwa, District-Ranchi, State-Jharkhand

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar Sinha, Sr. Adv.

For the Informant : Mr. Anjani Kr. Sinha

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2017 Heard the parties.

This application is for grant of regular bail in connection with Shashtri Nagar P.S.Case No.500 of 2016, for the offences under Section 366(A) of the Indian Penal Code.

Allegation against the petitioner is of kidnapping and also committing rape.

Submission of the learned counsel for the petitioner is that statement under Section 164 Cr.P.C. itself shows that the girl was a consenting party while going with the petitioner and it is further submitted that the petitioner was married with the daughter of the brother of the informant, which ended in divorce, as such he has been falsely implicated in this case. The petitioner is in custody since 22.11.2016.



Heard learned A.P.P. as well as the learned counsel for the informant. The learned counsel for the informant has submitted that it appears that the girl has been recovered from the house of the petitioner at Ranchi and further statement of the girl shows that she was minor and the petitioner has committed rape upon her, though it appears to be a consented fact but she is a minor girl as such consent of the girl is of no value.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed to expedite the trial and try to conclude it within a period of nine months and if not concluded, the petitioner is at liberty to renew his prayer for bail before the court concerned.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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