

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54717 of 2016

Arising Out of PS.Case No. -262 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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1. Surya Prakash Paswan, Son of Swami Nath Paswa, Resident of village -
Lakhan Dihra, Police Staton - Dumraon, District - Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-01-2017 Heard the parties.

This application has been filed in connection with Mahila
(District Bhojpur) Police Station Case No.262 of 2016 for the
offence under Sections 341, 323, 376, 342 and 506/34 of the
Indian Penal Code.

It is submitted on behalf of the petitioner that the whole
prosecution story is false and concocted, which will appears from
the fact that in this case there is delay of about 10 days and
secondly it is not possible that father, mother and whole family
members are involved in a case made under Section 376 of the
Indian Penal Code and the petitioner is in custody since 12.9.2016

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Heard learned A.P.P. also, who has opposed the prayer for bail of the petitioner.

Having heard both sides. There is allegation against the petitioner of committing rape upon the informant. So far delay is concerned, it is explained in the FIR itself that the accused persons had assured the informant not to lodge the case as they were trying to get her married with the petitioner. As such I am not inclined to grant bail to the petitioner, however, the learned trial court is directed to expedite the trial of the petitioner at this stage.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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