

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14550 of 2017

Arising Out of PS.Case No. -150 Year- 2016 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Md. Hoda, S/o Md. Sauf, Resident of Village- Chaknur, P.S.- Muffasil,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar. null null

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav

For the Opposite Party/s : Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-03-2017 The petitioner is in custody since 16.02.2017 in connection with Samastipur (Muffasil) P.S. Case No. 150 of 2016, registered for offences punishable under Sections 376, 511, 504 and 506 Indian Penal Code and Section 4 of POCSO Act.

It has been submitted on behalf of the petitioner that there is delay of five days in lodging the F.I.R. in the present case. Petitioner has falsely been implicated in this case, which will appear from the fact that entire family members have been made accused in this case and also no statement under Section 164 of Cr.P.C. has been recorded in this case. It has further been submitted that as a matter of fact that informant approached the petitioner and his family members for marriage of his daughter and when they denied, this present false case has been filed.



Petitioner has been in custody since 16.02.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of direct allegation against the petitioner of outraging the modesty of minor girl, I am not inclined to grant the petitioner, the privilege of regular bail, it is accordingly rejected.

However, trial court is directed to expedite the trial and try to conclude it within a period of nine months and if the trial is not concluded within the aforesaid period, the petitioner will be at liberty to renew his prayer for bail in the court below itself.

(Vinod Kumar Sinha, J)

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