

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9986 of 2017

Arising Out of PS.Case No. -119 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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1. Tinku Das, son of Domi Das, resident of Village- Bhorwar, Police Station- Fulkaha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-03-2017 Heard both sides.

The petitioner seeks bail in Araria Mahila P.S. case No. 119 of 2016 under Section 376 of the Indian Penal Code.

The victim made allegation that brother-in-law of her sister came to her Maika and, while she was sleeping with her child, the petitioner, brother-in-law of her sister, forcibly committed rape with her.

The learned counsel for the petitioner submits that petitioner is relative of the victim and on account of some dispute the petitioner has falsely been implicated in the case. Now the informant filed compromise petition but it appears that the victim has made very specific allegation that it was the petitioner who, while she was sleeping with child in her lap, committed rape with



her and fled away from there.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt/production of a copy of this order.

If the trial is not concluded within nine months, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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