

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20873 of 2017

Arising Out of PS.Case No. -616 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Md. Parvej @ Parwez, Son of Mataru, resident of Village- Tisso, Police Station- Bhopa, District- Mujjafarnagar, (Uttar Pradesh).

.... 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.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-06-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Forbesganj P.S. Case No. 616 of 2015 corresponding to Sessions Trial No. 43 of 2016 instituted for the offence under Sections-364, 376, 504 of the Indian Penal Code.

It is alleged in the written report that Sabana Parveen, daughter of the informant, was missing from the house on 07-10-2015. The informant received telephone call on 27-10-2015 of her daughter and went to Darbhanga and recovered his daughter from a room. It is alleged that the petitioner had kidnapped daughter of the informant and kept her confined in a room and used to commit illegal act with her. The informant recovered his daughter from a room in Darbhanga confined by the petitioner. The informant



brought the petitioner along with his daughter to the police station.

The statement of the victim girl was recorded u/S 164 of the Cr.P.C. wherein she has stated her age as 15 years. The court also assessed her age as 15 years. The victim girl has levelled specific allegation against this petitioner to the effect that after keeping her forcefully in a room, he committed illegal act with her. She informed her parents.

In such circumstances, keeping in view the specific allegation against this petitioner, this court is not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected.

Learned counsel for the petitioner has submitted that petitioner is in custody since 03-11-2015. In such circumstance, the court below is directed to expedite the trial of the petitioner and try to conclude the same as early as possible, preferably, within nine months from the date of receipt/production of copy of this order.

The petitioner is given liberty to renew his prayer for bail in the court below itself, if, the trial is not concluded within the above-noted period of nine months.

In the event, the trial of the petitioner is not concluded



within the period of nine months, the court below will give reason in the said order, mentioning the reasons for non-conclusion of trial of the petitioner within the above period.

(Sanjay Priya, J)

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