

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23110 of 2017

Arising Out of PS.Case No. -52 Year- 2016 Thana -SAKATPUR District- DARBHANGA

=====

AKBAR ALI @ MD. AKBAR, Son of Ashraf Ali, Resident of Village-
Baika, P.S.- Shakatpur, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr.Advocate
with Mr. Jitendra kr.Bharti, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 22-06-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Sakatpur P.S.Case No. 52 of 2016, corresponding to G.R.No. 3250
of 2016, registered for the offences punishable under Sections 363
and 366A/34 of the Indian Penal Code.

Allegation against the petitioner is that he induced the
victim girl and committed rape upon her.

It has been submitted on behalf of the petitioner that
the victim had gone with her own and after recovery she made
statement under Section 161 Cr.P.C. in which she has not
supported the commission of rape, rather she has stated that it is a
case of love affairs and falsity of the case appears in her statement
under Section 164 Cr.P.C. in which she has stated against the



petitioner of committing rape upon her, as such, the same is not believable and petitioner is in custody since 8.10.2016.

Heard learned APP also, who has opposed the prayer for bail stating that in the FIR her age is mentioned as 16 years and the Medical Board has assessed her age as 14-15 years and in her statement under Section 164 Cr.P.C. she has stated about commission of rape upon her by other persons also.

Having heard both sides and considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial of the petitioner.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

