

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22218 of 2017

Arising Out of PS.Case No. -473 Year- 2015 Thana -KATIHAR District- KATIHAR

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Md. Shahid @ Md. Sahid, son of Md. Usman, r/o Islampur, Naharpar, P.S.
Nagar, Distt. Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2017 This is an application for grant of bail for offences punishable under Sections 366, 376, 379 and 34 of the Indian Penal Code.

Earlier petition had moved before this Court with a prayer for bail which was dismissed vide order dated 11.1.2017 passed in Cr. Misc. no. 55232 of 2016.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that petitioner is in custody for more than seven months and has married the prosecutrix, but her family members are not allowing her to live with the petitioner, for that he filed a case for restitution of conjugal right.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that there is direct allegation of commission



of kidnapping and rape against the petitioner and prosecutrix has also supported the prosecution case in her statement under Section 164 of the Cr.P.C.

Earlier also petitioner's prayer for bail was rejected on merit. As such, I am not inclined to grant bail to the petitioner.

However, the trial court at Katihar is directed to commit the case in connection with Katihar Town P. S Case no. 473 of 2015 to the court of sessions and expedite the trial and try to conclude it within one year from the date of framing of charge.

This application is dismissed.

(Vinod Kumar Sinha, J)

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