

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30359 of 2017

Arising Out of PS.Case No. -211 Year- 2016 Thana -NAUBATPUR District- PATNA

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Shailendra Kumar @ Shailendra Prasad, S/o Dilipan Rai @ Dalipan Prasad,
resident of Village- Selgarh, P.S.- Raniaalab, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Special (POCSO) Case No. 103 of 2016, arising out of Naubatpur P.S.Case No. 211 of 2016, registered for the offences punishable under Sections 366A, 376/34 of the Indian Penal Code and 3/4 of POCSO Act.

Allegation against the petitioner is of committing rape upon the prosecutrix, who is a minor girl.

It has been submitted on behalf of the petitioner that she has earlier lodged a case against the petitioner under Section 498A IPC and the present case has been lodged in order to create pressure upon the petitioner and petitioner is in custody for four months and further there is inordinate delay in lodging the case.



Heard learned APP and learned counsel for the informant also. They have opposed the prayer for bail stating that the girl was minor and consent of girl has no value.

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 and try to conclude it within nine months.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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