

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53618 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -SIMRIBAZAR District- DARBHANGA

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1. Asheshwar Yadav Son of late Kusheshwar Yadav Resident of Village-
Gagaul, P.S. Singhwara District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-11-2017 Heard the parties.

This application is for grant of regular bail in connection with Simri P.S.Case No.98 of 2017 for the offences punishable under Sections 376 and 307 of the Indian Penal Code.

Allegation against the petitioner is of committing rape of the informant and also assaulting her.

Submission of the learned counsel for the petitioner is that though a false and concocted case has been lodged and now the petitioner is in custody for 2 ½ months. Further submission is that the parties have compromised the case also.

Heard learned A.P.P. also.

Having heard both sides and in view allegation of not only of rape but also assault to the prosecutrix, I am not inclined to



grant bail to the petitioner, however, since he is in custody, the learned trial court is directed to expedite the commitment of the case and try to commit this case within a period of two weeks. Once the case is committed he shall expedite the trial and once the prosecutrix is examined, the petitioner is at liberty to renew his prayer for bail before the before the court of learned trial court, who will consider the evidence of prosecutrix and will dispose of the same without being prejudiced by the order of this Court..

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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