

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14489 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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Md. Mumtaz @ Md. Mumataz Ansari S/o Md. Moin, R/o Mohalla - Abgilla
Jagdishpur, P.S. Mufassil, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Singh

For the Informant : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-03-2017 Heard the parties.

This application is for grant of bail in connection with Mufassil P.S.Case No.269 of 2016 for the offence under Sections 365 and 376 of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is contradiction between the statement of the victim girl made under Section 161 Cr.P.C. and the statement made under Section 164 Cr.P.C., as such the whole allegation has falsely been levelled against the petitioner, which will appear from the fact that the occurrence took place on 16.06.2016 but since 18.06.2016, no step was taken for lodging of the case and except the fact that he has taken the girl, there is nothing against the petitioner.

Heard learned A.P.P. and the learned counsel for the



informant.

Having heard both sides and from perusal of impugned order as well as earlier application filed by the petitioner, it clearly appears that the petitioner is not only named in the F.I.R. but the victim girl has also taken his name in her statement made under Section 164 Cr.P.C., as such, I am not inclined to grant bail to the petitioner at this stage, however, considering the fact that the petitioner is in custody, the learned trial court is directed to expedite the trial and try to conclude it within a reasonable time.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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