

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53611 of 2017

Arising Out of PS.Case No. -448 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Chandan Kumar Son of Mahendra Roy Resident of Village- Bela, P.S.
Mohanpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-11-2017 Heard the parties.

This application is for grant of regular bail in connection with Barachatti (Mohanpur) P.S.Case no.448 of 2017 for the offences punishable under Sections 366(A)/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the minor girl of the informant and committing rape upon her. The same also finds support from the statement of the victim girl in her statement recorded under Section 164 Cr.P.C.

Submission of the learned counsel for the petitioner is that the trend of the FIR shows that there was love affair between the petitioner and the daughter of the informant, however, under pressure of the informant, she deposed against the petitioner



and made such allegation. Now the petitioner is in custody for three months and the girl is major and the doctor has not found any sign of rape upon her.

Heard learned A.P.P. also.

Having heard both sides and in view of statement of the girl, I am not inclined to grant bail to the petitioner, however, the learned trial court is directed to expedite the trial and try to conclude it as soon as possible.

At the same time, it is also made clear that if no substantive progress has been made including examination of the victim, the petitioner is at liberty to renew his prayer for bail, which will be considered by the learned trial court on the basis of materials available at that time.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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