

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31554 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -DAGARUA District- PURNIA

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1. Prakash Kumar Biswas Son of Ram Krishna Biswas R/o Village- Jaswa,
P.S. Dagarua, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal
Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Anil Kumar

For Informant : Mr. Praveen Kumar Agarwal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-07-2017 The petitioner seeks regular bail in connection with Dagarua P.S. Case No. 103 of 2016, registered for offences punishable under Sections 376, 493, 313/34 of the Indian Penal Code and Section 6 of POCSO Act.

Allegation against the petitioner is of committing rape on the informant, who is minor on the assurance of marriage and further allegation that petitioner got her pregnancy terminated.

It has been submitted on behalf of the petitioner that out and out false and concocted case has been lodged against the petitioner. Further no injury either external or internal has been found on the victim girl. It has further been submitted that earlier also, the informant has filed a case against the informant, in which



he was acquitted. Petitioner has been in judicial custody since 26.02.2017.

Learned counsel for the State as well as leaned counsel for the informant opposed the prayer for bail and submitted that the girl on medical examination was found to be minor.

Having heard both sides, considering the facts and circumstances and the nature of allegation, I am not inclined to release the petitioner on bail, his application for regular bail is, accordingly rejected.

However, the trial court is directed to expedite the trial and try to conclude it as soon as possible preferably within a period of nine months.

(Vinod Kumar Sinha, J)

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