

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62569 of 2017

Arising Out of PS.Case No. -372 Year- 2016 Thana -PHULPARAS District- MADHUBANI

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1. Md. Mustak, son of Md. Rahman, resident of Village- Chhajana, P.S.- Babubarhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-02-2018 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Phulparas P.S. Case No. 372 of 2016, a case under Sections 363, 366A, 120-B of the Indian Penal Code and Section 4/6 of POCSO Act.

Allegation against the petitioner is of commission of rape against the named victim. In her statement under Section 164 Cr.P.C., the victim has alleged commission of rape by the petitioner.

Submission of learned counsel for the petitioner is that the petitioner is in custody since 22.12.2016. Petitioner has got no criminal antecedent and the allegation is not supported by the medical evidence.



Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail for the present. Hence, prayer is refused.

Learned trial court is directed to expedite and conclude the trial within a period of six months from the date of receipt/ production of a copy of this order without giving any unnecessary adjournment to any of the parties, failing which, the petitioner would be at liberty to renew his prayer for bail

(Birendra Kumar, J)

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