

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41596 of 2018

Arising Out of PS. Case No.-170 Year-2017 Thana- DULHIN BAZAR District- Patna

Ishtkhar Alam @ Mithu Mian Son of Md. Mukhtar Ansari @ Pappu Mian @
Mukhtar Mian, resident of Village- Ainkhan, Police Station- Dulhin Bazar,
District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Parvin daughter of Md. Ekbal Alam, R/o vill. Navinagar, P.S. Dulhin
Bazar, Dist. Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhola Kumar, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Pd. APP
For the Informant	:	Mr. Kumar Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-11-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in Dulhin Bazar P. S. Case
No. 170 of 2017 instituted for the offence under Section(s) 363
and 366(A) of the Indian Penal Code.

The informant has already appeared by filing
vakalatnama.

In the written report, it is alleged that minor daughter
of the informant had gone to market and she became traceless.

Case diary has been received, wherein, the statement
of the victim girl recorded under Section 164 Cr. P.C. is
available. She has stated in her statement recorded U/s 164 Cr.



P.C. that she has voluntarily gone to the house of Sabnam Pravin, who left her to her house and went to market. Thereafter, this petitioner, who is husband of Sabnam Pravin, has committed rape with her. It is further alleged that he took her to lonely place and kept her and also committed rape with her. She has stated her age to be 16 years.

Learned counsel for the informant has appeared and submitted that trial has already commenced and charge has been framed.

In such circumstances, this Court is not inclined to grant bail to the petitioner. The prayer for bail of the petitioner stands rejected at this stage.

The trial Court is directed to expedite the trial and make efforts to conclude the same as early as possible.

Petitioner is given liberty to renew prayer for bail after six months in the event no substantial progress is made in the trial.

(Sanjay Priya, J)

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