

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62580 of 2017

Arising Out of PS.Case No. -79 Year- 2017 Thana -NAWAKOTHI District- BEGUSARAI

=====

Ram Jappo Mahto, Son of Dukha Mahto, resident of Village- Pirnagar, P.S.-
Naokothi, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Binay Kumar Thakur

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Naokothi P.S. Case No. 79 of 2017 registered for the offences
punishable under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of committing rape.

Submission of learned counsel for the petitioner is that
there is no other witness to the commission of rape and in the FIR
itself it is alleged on hulla many people assembled but none has
supported the prosecution case and it has not been supported by
two evidence and he is in custody for five months.

Heard learned APP also.

Having heard both sides and in view of the fact that
prosecutrix has supported the prosecution case in her statement



under Section 164 Cr.P.C., I am not inclined to grant bail to the petitioner.

However, learned court below court is directed to expedite the commitment of the case and learned trial court is directed to expedite the trial after commitment.

Once substantial progress has been made in trial and the victim has been examined, petitioner is given liberty to renew his prayer for bail before the trial court itself, who will consider the same on the basis of materials available on record at that time and pass an appropriate order.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

