

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28997 of 2018

Arising Out of PS. Case No.-125 Year-2017 Thana- AWADPUR District- Katihar

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Equebal @ Equebal Hussain S/o Late Sukum Ali, R/o Vill.- Jiyar, P.S.-
Abadpur, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 14-05-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Abadpur PS Case No.125 of 2017, giving rise to Sessions
Trial No.352 of 2017, registered under Sections 376(D), 366,
342, 338 and 506/34 of the Indian Penal Code.

Allegation in brief is that the prosecutrix, a married
lady, was gang raped by the accused persons.

Learned counsel for the petitioner submits that the
petitioner is the own elder brother of the husband of the
prosecutrix and due to family dispute, he has been falsely
implicated, they were on inimical terms as prior to this case also
one case was lodged against the petitioner; whereas learned
counsel for the State submits that there is specific allegation of



committing rape and prayer of bail of another co-accused Mangloo @ Md. Mangal @ Md. Mangloo was rejected twice vide Cr. Misc. Nos.51884 of 2017 and 17311 of 2018 on 09.11.2017 and 11.04.2018 respectively.

Having considered the aforesaid facts and circumstances, prayer of bail of the petitioner is rejected in connection with Abadpur PS Case No.125 of 2017, giving rise to Sessions Trial No.352 of 2017, pending in the court of learned Sessions Judge, Katihar.

However, the trial court is directed to expedite the trial and preferably conclude the same within six months as it is submitted that five witnesses have been examined out of eight.

(Arun Kumar, J)

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