

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27556 of 2018

Arising Out of PS. Case No.-269 Year-2017 Thana- PUPRI District- Sitamarhi

Dr. Istehaque Ahmad Khan @ Dr. Md. Ishtiyaque Ahmad Khan S/o Ateek Ahmad, R/o Vill.- Rudauli, P.S.- Bajpatti, District- Sitamarhi, A/p - Vill. + P.S.- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Sri Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

5 18-07-2018 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner, already in custody, seeks bail in connection with Pupri P.S. Case No.269 of 2017 registered under Section 376(D) of the Indian Penal Code as well as under Sections 4, 8, 6 and 10 of the POCSO Act.

Allegation in brief is that the prosecutrix earlier eloped with her paramour Md. Mumtaj and after two months he brought her to the clinic of the petitioner who is a quack practicing along with his wife and there she was kept in confinement and also raped by the petitioner and his younger brother and recovery of the girl was also made from his house.

Learned counsel for the petitioner submits that the



prosecutrix was being treated by the petitioner's wife and the allegation is false and fabricated and the petitioner has been in custody in this case since 08.09.2017.

Having considered the aforesaid facts and circumstances, the nature of accusation and the recovery of the girl from the petitioner's house, presently the prayer of bail of the petitioner is rejected.

However, the trial court is directed to expedite the trial and preferably conclude the same within a year.

If the same is not concluded within the stipulated period, the petitioner may renew his prayer of bail.

(Arun Kumar, J)

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