

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35442 of 2018

Arising Out of PS. Case No.-203 Year-2017 Thana- RANIGANJ District- Araria

Mahboob Alam, Son of Gaisul Alam, Resident of Village- Bishanpur, P.S-
Raniganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 01-08-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Raniganj P.S.Case No. 203 of 2017 registered under Sections 364,366 and 120B of the Indian penal Code.

Allegation in brief is that complainant, wife of the informant, was kidnapped by the petitioner and others and in captivity she was raped by the petitioner and others.

Learned counsel for the petitioner submits that earlier bail petition of the petitioner was rejected but later on, complainant has filed an affidavit stating that her statement under Section 164 Cr.P.C. was recorded under coercion.

The so-called statement of the complainant was recorded before the Judicial Magistrate under Section 164 Cr.P.C. that was made voluntarily and so-called affidavit tantamounts to



tampering of the evidence by the petitioner. Hence, prayer of bail of the petitioner is rejected.

Trial court is directed to expedite the trial and conclude the same preferably within a year. If the same is not concluded within stipulated period, petitioner may renew his prayer of bail.

(Arun Kumar, J)

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