

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25694 of 2018

Arising Out of PS.Case No. -70 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Abdul Khalid @ Abdul Khalik @ Abdul Khalik Ansari, Son of Late Khoda Baksh Mian, Resident of Village- Kuawan, P.S.- Chakia, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

03 16-05-2018

Seen the report of the learned trial court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in POCSO Trial No.23 of 2017, arising out of Chakiya P.S. Case No.70 of 2017, registered under Section 376/34 of the Indian Penal Code.

Petitioner is said to have committed rape against the informant.

It is submitted by learned counsel for the petitioner that no offence as alleged has taken place. He has been falsely implicated in this case as earlier he had lodged a case of kidnapping of his son against the informant and others. It is further



submitted that all the five witnesses examined by the prosecution have turned hostile and parties to the case has filed compromise petition before the learned trial court. Petitioner has been languishing in custody since 09.05.2017.

Considering the fact that there is direct allegation of committing rape on the informant against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail is hereby rejected.

However, the learned trial court is directed to conclude the trial as early as possible within three months positively from the date of receipt/production of a copy of this order.

The Superintendent of Police, East Champaran at Motihari is directed to ensure the production of witnesses before the learned court below on each and every date fixed in the case without fail.

Let a copy of this order be communicated to the Superintendent of Police, East Champaran at Motihari through Fax for needful.

(Prakash Chandra Jaiswal, J)

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