

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4175 of 2019

Arising Out of PS. Case No.-37 Year-2018 Thana- MAHILA P.S. District- Sheikhpura

Rahul Kumar @ Rahul Tiwary, Male aged about 22 years, Son of Pramod Tiwary @ Pramod Pandey, Resident of village - Samas Bujurg, Police Station - Barbigaha, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 16-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 354, 452, 376 of the Indian Penal Code and Section 4 of the POCSO Act.

The petitioner allegedly ravished to the informant when she had gone to purchase some article from the shop of the petitioner. The FIR reveals that when aunt of informant came there searching the informant and she suspected some fall she went back to call the father of the informant, in the meantime, the petitioner locked the victim in the room and fled away.

Learned counsel for the informant submits that due to



previous enmity with the uncle of the informant, false case has been lodged. Medical report does not fully corroborate the allegation of commission of rape.

Considering the statement of the victim which cannot be disbelieved on the above ground, hence, I am not inclined to enlarge the petitioner on bail in connection with Sheikhpura Mahila Police Station Case No. 37 of 2018 pending in the court of learned Additional District Judge, Sheikhpura.

Hence, prayer for bail is refused.

Learned trial court is directed to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/production of a copy of this order, failing which the petitioner may renew his prayer for bail before the learned court below itself.

(Birendra Kumar, J)

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