

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12694 of 2021

Arising Out of PS. Case No.-85 Year-2020 Thana- BANMANKHI District- Purnia

Md. Sahbaz Son Of Md. Abbas R/O Village- Birnagar, Purbi, P.S.-Bhargama,
District-Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-08-2021 Heard the parties in virtual Court proceeding.

The petitioner is languishing in custody for the offence punishable under Section 376 of the Indian Penal Code.

The statement of the victim recorded under Section 164 Cr.P.C. would reveal that the petitioner forcefully ravished her.

Learned counsel for the petitioner submits that there is delay of six days in lodging the FIR. The doctor has not found any recent sign of sexual intercourse. For some other dispute an after thought allegation is there. The petitioner is in custody since 22.09.2020.

Since the victim cannot be disbelieved at this stage only for delay of six days in lodging the FIR and none support of the witnesses, I am not inclined to enlarge him on bail in



connection with Banmankhi P.S. Case No.85 of 2020. Hence,
prayer for bail is refused. The trial-court is directed to expedite
the trial.

(Birendra Kumar, J)

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