

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 23166 of 2020

Arising Out of PS Case No.-169 Year-2018 Thana- DUMRAON District- Buxar

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Dablu @ Dablu Kumar, Gender-Male, aged about 20 years, Son of Late Mohan Prasad Verma, Resident of Village - Dumraon, Chowk, PS - Dumraon, District – Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sita Kumari, aged about 34 years (Female), Daughter of Kanchan Kumar Verma, Resident of Village - Sonar-Patti, Pakari Mahalla-Dumraon, PS - Dumraon, District - Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Dr. Alok Kumar Alok, Advocate
For the State	:	Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 24-02-2021

Heard Dr. Alok Kumar Alok, learned counsel for the petitioner and Mr. Humayou Ahmad Khan, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

2. The petitioner is in custody in connection with Dumraon PS Case No. 169 of 2018 dated 07.05.2018, instituted under Sections 363 and 376 of the Indian Penal Code and 6 of the Protection of Children from Sexual Offences Act, 2012.



3. This is the second attempt for bail by the petitioner as earlier such prayer was rejected by order dated 18.12.2019 passed in Cr. Misc. No. 56174 of 2019.

4. The allegation against the petitioner is that he had been in relationship with the informant for two years and finally she was called to Allahabad and taken to Delhi and at Ghaziabad station she was made to sit in the train and the petitioner had run away and there she narrated her story to the police and further that the petitioner had physically abused her at Allahabad.

5. Learned counsel for the petitioner submitted that there was consensual relationship between the parties and they were neighbours and the family of the informant was pressurizing him to marry the informant and upon refusal, the present case has been instituted. It was submitted that the petitioner is in custody since 16.11.2018. Learned counsel submitted that out of four prosecution witnesses, three have been examined.

6. Learned APP submitted that the Court may direct for conclusion of the trial as only one prosecution witness remains to be examined.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant bail to the petitioner.



8. Accordingly, the application stands dismissed.

9. However, as the trial has progressed considerably, the Court below is directed to conclude the same within six months from the date of receipt of a copy of this order.

(Ahsanuddin Amanullah, J.)

P. Kumar

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