

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34508 of 2020

Arising Out of PS. Case No.-47 Year-2019 Thana- MAHILA P.S. District- Kishanganj

Hari Mohan Kumar, son of Late Jharu Lal resident of Kurimani police station
Thakurganj Distt. Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

5 13-04-2021 Heard Mr. Dilip Kumar Singh, learned counsel

for the petitioner; Mr. Mr. Amal Kumar Singh, learned

counsel for the informant; and Mr. Md. Aslam Ansari,

learned APP for the State.

The petitioner seeks bail in connection with

Kishanganj Mahila P. S. Case No. 47 of 2019, dated

29.11.2019, instituted for offences under Sections 341,

323, 313/511, 376, 504/34 of the Indian Penal Code.



The accusation against the petitioner is of having raped the victim continuously.

The learned counsel for the petitioner has submitted that according to the own showing in the F.I.R., the occurrence had first time taken place six months ago.

Apart from this, it has been stated that the victim has in her statement under Section 164 Cr.P.C. stated about the love affairs between the petitioner and her.

Lastly, it has been submitted that the victim is a major and therefore whatever has happened is only with the consent of the victim.

None of these grounds weigh with this Court in granting bail to the petitioner who is alleged to have entered into a liaison with the victim and thereafter kept raping her and refused to marry her also.

The prayer for bail is rejected.

However, looking at the period of custody of



the petitioner, it is directed that the trial court shall take all possible steps to conclude the trial, preferably within a period of one year from the date of production/receipt of a copy of this order.

(Ashutosh Kumar, J)

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