

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26562 of 2021

Arising Out of PS. Case No.-82 Year-2020 Thana- RAGHOPUR District- Supaul

MD JABBAR S/O Md. Safid Resident of Village - Diwan Ganj, P.S. -
Raghopur, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivek Kumar, Advocate

For the Opposite Party/s : Mr. Rajkishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 27-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376(3), 506 and 34 of the Indian Penal Code and sections 8 and 4 of the POCSO Act.

As per the prosecution case, the petitioner is said to have committed rape on the informant and of having made a video of the occurrence.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. In the medical examination the age of the alleged victim was assessed to be between 17 to 19 years and no sign of rape or any assault was found on the body of the informant. From the contents of the FIR itself it would transpire that there is an unexplained



delay in lodging of the FIR. The petitioner is in custody since 21.12.2020 and the trial has not even commenced.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the victim having supported the allegations in her statement under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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