

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45563 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- MAHILA P.S BAGHA District- West
Champaran

=====

JAHID ALI Son of Seikh Arshal Resident of Village - Bargo Dhustola, P.S.-
Ramnagar, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Milind Kumar Mishra, Adv.
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP
For the informant	:	Mr. Vimlesh Kumar Pandey, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 29-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 376, 366, 447
and 448 of the Indian Penal Code.

As per the prosecution case, the petitioner is said to
have taken away the 20 year old informant and of having
forcibly established physical relations with her on the pretext
that he would marry her subsequently. It is further stated that on
the informant becoming pregnant he forcibly got her aborted.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case.
Admittedly both the parties are major and from the narrations
in the FIR it would be evident that the relationship between the



parties were consensual. Subsequently, a story has been cooked up by the informant. The petitioner is in custody since 15.6.2021 and undertakes to cooperate in the trial.

The application for bail is opposed by learned counsel for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that there is direct allegation against the petitioner in the FIR which has been supported by the victim in her deposition in course of trial.

Having heard learned counsel for the parties and taking into consideration the materials on record together with the contents of the deposition of the victim in the trial, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The Court is informed by the learned counsel for the parties that two witnesses as also one doctor and one Investigation Officer (total of four witnesses) remain to be examined on behalf of the prosecution. The informant has undertaken to produce the witnesses as and when directed without any delay.

Learned trial Court is directed to expedite the trial and to conclude the same preferably within a period of six months from the date of communication of this order.

Bibhash/-

U			
---	--	--	--

(Partha Sarthy, J)

