

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11421 of 2023**

Arising Out of PS. Case No.-324 Year-2022 Thana- AAJAM NAGAR District- Katihar

TINKU SHARMA @ TINKU KUMAR SHARMA SON OF SONU LAL
SHARMA R/O PALODANGA, HOSPUR, P.S.- AZAMNAGAR, DISTRICT-
KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 341, 323, 376, 379, 504, 506/34 of
the Indian Penal Code.

3. The allegation against the petitioner is of forcibly
raping the informant on the false pretext of marriage.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. There is delay in lodging in FIR as such
occurrence date is of 14.09.2022 and the FIR has been lodged on
02.10.2022. Petitioner is languishing in judicial custody since
08.10.2022.

5. Learned APP for the State has opposed the



application for bail and submitted that the victim is a minor girl, who is aged about 15 years. The statement of the victim recorded u/s 164 of the Cr.P.C., which is mentioned in para-31 of the case diary in which, she stated that this petitioner forcibly committed rape upon her, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

arish/-

U		T	
---	--	---	--

