

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7276 of 2022

Arising Out of PS. Case No.-209 Year-2021 Thana- KHAIRA District- Saran

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AJIT KUMAR Son of Pardip Ray Resident of Village - Saadhpur, Police
Station - Garkha, District - Saran at Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Prasad Yadav, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 06-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366 and 365 of the Indian Penal Code.

As per the prosecution case, the daughter of the informant who is aged about 18 years was kidnapped by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He is in custody since 15.7.2021 and as per instructions received trial has commenced in the learned Court below wherein both the alleged victim and her mother have been examined and they have not supported the prosecution case. The petitioner undertakes to cooperate in the trial. He has no criminal



antecedent.

Heard learned A.P.P. for the State.

Learned counsel for the State submits that the victim has supported the allegation against the petitioner of rape in her statement under section 164 Cr.P.C.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the contents of the statement of the victim 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 and to conclude the same preferably within a period of four months from communication of this order.

In case the trial has not concluded within the aforesaid period for no fault of the petitioner, the petitioner will be at liberty to renew his prayer for bail in the learned trial Court itself, which, if filed, will be considered on its own merits without being prejudiced by this order of rejection.

(Partha Sarthy, J)

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