

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29183 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- DUMARIYA District- Gaya

Reyasat Ansari @ Reyasat Hussain S/o Anwar Miyan @ Anwar Hussain
Resident of Village- Salaiya Tola, Ucchaulia, Kasiyadih, P.S.- Dumariya,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 15-02-2023 Learned counsel for the petitioner is permitted to
remove the defects, as pointed out by the office, if any, within a
period of four weeks from today.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 366(A)/34 of the Indian
Penal Code.

Allegation against the petitioner is that he along with
other co-accused have kidnapped the two minor girls for the
purpose of marriage.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. against the petitioner is false and fabricated. He further submits that the victims girls were recovered and their statements were recorded under Section 164 of the Cr. P.C. in which one of the victim girl namely Sangeeta Kumar has stated in her statement that the petitioner has committed rape upon her and the other victim girl Namely Manti Kumari has stated in her statement that the petitioner has not abducted her.

Vide order dated 27.09.2022, a report was called with regard to the stage of the trial. The report dated 23.01.2023 reveals that the trial has begun and out of eight prosecution witnesses, one witness has been examined on behalf of the prosecution.

Learned counsel for the petitioner submits that in view of the report of the learned Trial Court, there is no chance of early conclusion of the trial in near future and the petitioner is in custody since 15.12.2021.

Learned APP for the State, on the other hand, on the basis of material available on record as well as in the case diary has vehemently opposed the prayer for bail of the petitioner and submits that the trial has begun.



Considering the aforesaid facts that the trial has begun, I am not inclined to enlarge the petitioner on bail in connection with Dumariya P.S. Case No. 65 of 2021, pending in the Court of learned Judicial Magistrate 1st Class, Sherghati, Gaya.

Prayer is refused.

However, the learned Trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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