

Neutral Citation No. - 2023:AHC:210992

Reserved On:- 30.10.2023

Delivered On:- 02.11.2023

Case :- CRIMINAL MISC. BAIL APPLICATION No. - 45632 of 2023

Applicant :- Raju Chaudhary

Opposite Party :- State of U.P.

Counsel for Applicant :- Krishna Kant Shukla

Counsel for Opposite Party :- G.A.

Hon'ble Siddharth,J.

1. Heard Sri Krishna Kant Shukla, learned counsel for the applicant and the learned A.G.A. for the State.
2. The instant bail application has been filed on behalf of the applicant, **Raju Chaudhary**, with a prayer to release him on bail in **Case Crime No. 115 of 2023, under Sections- 376, 504, 506 I.P.C., Police Station – Kaundhiyara,, District – Prayagraj.**
3. There is allegation in FIR that the victim alongwith her father-in-law, Raju, the applicant, was going to her parental house on foot on 12.06.2021 at about 3:00 pm. About one kilometre from her parental house named accused, Ram Bhavan, stopped her in the way and forcibly committed the offence of rape. When she raised alarm, he abused her and her father-in-law, Raju, the applicant, and after beaten them by legs-fists and *danda*. FIR was lodged by the victim herself. Subsequently, the statement of the victim was recorded under Section 161 Cr.P.C., wherein she stated that three years ago, she was married to Guddu, son of applicant, and the applicant used to compel her to enter into physical relationship. Her mother-in-law and husband also did not heard her complaint against applicant and beaten her. On 17.12.2022, the applicant committed the offence of rape against her after threatening her by knife. The father of the victim stated in his statement that Guddu, son of applicant, committed the offence of rape against his daughter three years ago and was caught. Thereafter, he agreed to marry his daughter and married her in a temple, but thereafter, applicant was raped his daughter when no one was in the house. It was also alleged by informant that named, accused, Ram Bhavan, has also committed the offence of rape against his daughter who was friend of son of the applicant, Guddu. The mother of the victim also reiterated the allegations made against the

applicant in his statement recorded under section 161 Cr.P.C. The victim has reaffirmed her allegations made in statement under Section 161 Cr.P.C.

4. This Court after hearing the learned counsels for the parties does not find any ground for enlarging the applicant on bail at this stage.

5. The bail application is accordingly, **rejected**.

6. The trial court is directed to conclude the trial against the applicant as expeditiously as possible, preferable within a period of six months from the date of production of certified copy of this order.

Order Date:-02.11.2023

Abhishek