

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9318 of 2015

Arising Out of P. S. Case No. -325 Year- 2011 Thana -BEGUSARAI MUFFASIL
District- BEGUSARAI

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Ajay Paswan son of Sri Pramod Paswan resident of village- Sushil Nagar,
Police Station- Begusarai Muffasil in the district of Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 23-06-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 366/34 of IPC.

It is submitted that the petitioner has not been named
in the FIR. During investigation, his name has appeared as an
accused.

Allegation is that the daughter of the informant had
gone to fair with her husband, but the husband of the victim has
also not named the petitioner. The name of the petitioner has
appeared in the statement of the victim as one of the accused. The
statement of the victim is not fit to be believed as she has stated
that the petitioner and co-accused Mukund Paswan remained with

her for three months but she has not made any complaint with the police anywhere.

Learned counsel for the State submits that the victim has made statement under Section 164 Cr.P.C. in which she has stated that the petitioner and co-accused Mukund Paswan, at the point of pistol, took her with them and kept at several places and they have also committed her rape. After investigation, the case has been found true against the petitioner. The petitioner has also criminal antecedent.

Considering the facts and circumstances, in my opinion, the petitioner does not deserve bail at this stage. His prayer for bail is rejected.

Let the trial be expedited.

(Amaresh Kumar Lal, J)

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