

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9561 of 2015

Arising Out of PS.Case No. -211 Year- 2014 Thana -MUNGER MUFFASIL District- MUNGER

1. Rudal Yadav S/o Late Anil Yadav R/o Village Awas Board, Khagaria,
P.S. + District Khagaria, at present C/o Ramvilas Yadav, R/o Village
Jafarnagar, P.S. Muffassil, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Sinha

For the Opposite Party/s : Mr. Surendra Pd.Yadav(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 24-04-2015 Heard both sides.

Petitioner seeks bail in Mufassil P.S.Case No.211 of
2014 registered under Sections 376 of the IPC.

The victim has made specific allegation that when she
had gone to ease out, the petitioner committed rape with her. The
victim stated this fact to her husband. The petitioner was
apprehended and handed over to the police.

It is submitted that the victim is aged about 45 years
whereas the petitioner is a young boy and so, it is not possible
for the petitioner to commit rape with the victim. It has come
during the course of investigation that the victim had intimate
relation with the petitioner and both of them were found in a
compromising position and the villagers saw them in a
compromising position.

Having considered the aforesaid fact that the petitioner
committed rape with the victim, I am not inclined to enlarge the
petitioner on bail and accordingly, the same is **rejected**.

The trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt or production of a copy of this order. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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