

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26683 of 2015

Arising Out of PS.Case No. -54 Year- 2015 Thana -SAHKUND District- BHAGALPUR

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1. Bijali Singh @ Bijli Singh Son of Late Mural Mandal resident of village
- Jagariya, Jhandapur, P.S. Shahkund, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh

For the Opposite Party/s : Mr. Jitendra Kumar Singh 1 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 30-10-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Shahkund
P.S. Case No. 54 of 2015 registered for the offence punishable
under Section 376 of the Indian Penal Code.

Allegedly, in absence of the informant and his wife
the petitioner entered into the house of the informant and
committed rape with his daughter Sunita aged about 20 years who
is abnormal.

Submission is of false implication and that on the
instigation of Mukhiya this case has been lodged, the informant
and witness Subhash Singh are the men of Mukhiya and as the
petitioner has contested the election unsuccessfully, the Mukhiya

only with a view to take revenge has implicated the petitioner falsely. The victim girl in her statement recorded under Section 164 Cr.P.C. has stated that she is deposing as per advice of the Mukhiyajee and in medical report no injury has been found and she was found aged about 14-17 years and there is no sign of any rape.

Learned APP opposes the prayer of bail by submitting that the victim in her statement recorded under Section 164 Cr.P.C. has supported the allegation of rape and after finding the allegation to be true chargesheet has been submitted against the petitioner.

Considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the trial court is directed to expedite the trial and conclude the same as per amended provision of Section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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