

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4605 of 2016

Arising Out of PS.Case No. -192 Year- 2014 Thana -BALIA District- BEGUSARAI

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1. Robin Yadav @ Rabin Yadav @ Ravin Yadav @ Raobin Yadav Son of Rameshwar Yadav @ Faudari Yadav, Resident of Village- Manari Gachhi, P.O. Lakhminia, Police Station Ballia, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Mr. Bharat Lal (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 29-03-2016 Heard the learned counsel for the petitioner and the learned A.P.P. representing the State.

The petitioner seeks bail in connection with Ballia P.S. Case No. 192 of 2014 registered for the offences punishable under Sections 376, 323 and 504/34 of the Indian Penal Code.

Allegedly, the petitioner forcibly committed rape with the informant and further fractured her hand after assaulting with lathi and danda.

Submission is of false implication and that the prosecution story is not probable and reliable, the Doctor who has examined the informant has not found any evidence of rape

and further no fracture was found rather some injury has been found. The petitioner without any fault is suffering in custody since 01.12.2015, deserves sympathetic consideration, to which the learned APP opposes by submitting that the petitioner is involved in six more cases and he is a veteran criminal.

In the facts and circumstances stated above, considering that during investigation, besides the informant, other witnesses have also supported the prosecution version, and as such, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Ballia P.S. Case No. 192 of 2014 pending in the court of learned Chief Judicial Magistrate, Begusarai.

However, considering the detention of the petition, let the trial be expedited and concluded as per amended proviso of Section 309 of the Code of Criminal Procedure.

(Jitendra Mohan Sharma, J)

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