

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20915 of 2016

Arising Out of PS.Case No. -4 Year- 2008 Thana -DIGHA District- PATNA

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1. Subodh Rai S/o Awadhesh Rai Resident of village - Nakta Diyara, P.S.
Digha, District – Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. S.M.Rahman(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Digha P.S.
Case No. 04 of 2008 registered for the offences punishable under
Sections 363, 376, 379/34 of the Indian Penal Code.

Allegedly, the informant was taken away by Subodh
Rai, Son of Sanjeevan Rai on false plea and thereafter, the
petitioner and co-accused, Pappu Rai who were waiting with
vehicle got boarded the informant in that vehicle and brought her
at Delhi where the three accused persons committed rape with her
and thereafter brought her back.

Submission is of false implication and that co-accused,
Subodh Rai, Son of Sanjeevan Rai has already been allowed bail

and further co-accused, Pappu Rai has also been allowed bail and the petitioner is suffering in custody since 23.12.2015.

The learned A.P.P. opposes the prayer of bail by submitting that the prayer of pre-arrest bail of the petitioner was rejected by order dated 05.06.2008 and since then the petitioner remained absconding causing inordinate delay in disposal of the case.

In the facts and circumstances stated above, at present I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Digha P.S. Case No. 04 of 2008 corresponding to Sessions Trial No. 1629(A) of 2008/0239 of 2016 pending in the Court of learned Additional Sessions Judge-VI, Patna.

However, the petitioner may renew his prayer for bail after examination of the informant during trial.

(Jitendra Mohan Sharma, J)

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