

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3999 of 2016

Arising Out of PS.Case No. -156 Year- 2014 Thana -RAJPUR District- BUXAR

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1. Ajay Yadav Son of Ramakbal Yadav resident of village - Dihari, P.S. Rajpur, District - Buxar.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh

For the Opposite Party/s : Mr. Sanjay Kr.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 18-03-2016

Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Rajpur P.S. Case No. 156 of 2014 registered for the offences punishable under Sections 341, 323, 376, 354, 379/34 of the Indian Penal Code.

Allegedly, the petitioner has taken Rs. 5,00,000/- from the husband of the informant and on 08.09.2014 the petitioner called the informant on his house to give the money but when the informant went there, he started abusing her and further dragged her inside the house and gave blow with butt of rifle near her left eye and breast, resulting, she became senseless, then the petitioner committed rape with her and further the brother of the petitioner assaulted her with fat and slaps.

Submission is of false implication and that the

prosecution story appears not probable and reliable, the doctor who has examined the victim has found the injuries on the person of the victim/informant simple in nature and as such the story that she became senseless appears not true, the petitioner is suffering in custody since 15.07.2015 and as such he deserves sympathetic consideration to which the learned APP seriously opposes by submitting that several injuries have been found on the person of the informant and further the doctor has opined that possibilities of rape cannot be ruled out.

In the facts and circumstances stated above, 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, considering the period of detention, let the trial be expedited and be concluded as per amended proviso of Section 309 of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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