

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43916 of 2016**

Arising Out of PS.Case No. -12 Year- 2016 Thana -BALIGAON District- VAISHALI(HAJIPUR)

=====

1. Satan Rai Son of Late Baidyanath Rai resident of Village/Mohalla- Basti Khoajpur, Pastara, Purvi Tola, P.S.- Baligaon, District- Vaishali.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      17-01-2017                                      Heard learned counsel for the petitioner as well as  
learned Addl. Public Prosecutor.

The application is for grant of bail in connection  
with Baligaon PS case no. 12 of 2016 for the offence under  
Sections 376, 302 of the Indian Penal Code.

It is submitted on behalf of petitioner that there is  
delay of about two months in lodging FIR. It is further submitted  
that informant-complainant as well as his brother-in-law cremated  
the body of the deceased and false case is lodged against the  
petitioner. It is further submitted that petitioner is in custody since  
17.06.2016.

Heard learned A.P.P. also. Learned A.P.P. has  
opposed the prayer for bail and stated that the allegation is under



Section 302 and 376 of Indian Penal Code, further petitioner is named in FIR and there is direct allegation against him and police after investigation submitted charge sheet against the petitioner.

Having heard both sides. In spite of the fact that there is delay of 02 months in filing of FIR, as investigation is still going on and there are allegations against this petitioner, I am not inclined to grant bail to the petitioner. As such, his prayer for bail rejected at this stage.

With these observations, this bail application is dismissed.

**(Vinod Kumar Sinha, J.)**

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