

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33549 of 2017

Arising Out of PS.Case No. -227 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Binod Chaudhary @ Binod Kumar S/o Babu Chand Chaudhary @
Ramawtar Chaudhary Village : Jamuawa Tole Sikandarpur, P.S. -
Wazirganj, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Wazirganj P.S.Case No. 227 of 2016 registered for the offences
punishable under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of committing rape
and also threatening the informant with dire consequence as
petitioner is a “dabang” person.

It has been submitted on behalf of the petitioner that
there is delay of 2 and a half months in lodging FIR and it has
further been submitted that though it appears from the statement
recorded under Section 164 Cr.P.C. of the victim girl that the
parents of victim were informed about the occurrence on the same
day but no case has been lodged at once. It has further been



submitted that petitioner has falsely been implicated in this case and he is in custody for more than two months.

Heard learned APP also, who has opposed the prayer for bail stating some delay in lodging FIR is bound to occur as it relates to prestige of the girl.

Having heard both sides and considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial of the petitioner.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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