

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5380 of 2018

Arising Out of PS.Case No. -124 Year- 2015 Thana -VIDYAPATINAGAR District- SAMASTIPUR

1. Nawal Kishore Rai S/o Maheshwar Rai, R/o Village- Chamtha Lakshman Tola, P.S.- Bachhwara, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Singh

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 20-03-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Vidyapati Nagar PS Case No. 124 of 2015 registered under Sections 363, 328 and 376(2)G/34 of the IPC.

The allegation in brief is that all the three accused persons kidnapped the prosecutrix in the night from her house and thereafter during period of confinement raped her.

Learned Counsel for the petitioner submits that the prosecutrix had some affair with one Dipak Kumar Singh, one of the accused, now she is married with Dipak Kumar Singh living together and the petitioner has falsely been implicated in this case.

Whereas learned Counsel for the State submits that it is a case of gang rape and there is specific allegation.

Having considered the said facts and circumstances, the prayer for bail of the petitioner is rejected.

The trial court is directed to expedite the trial and preferably conclude the same within a period of one year.

(Arun Kumar, J)

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