

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23607 of 2019

Arising Out of PS. Case No.-75 Year-2018 Thana- MAHILA P.S. District- Siwan

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1. Rahul Yadav, aged about 20 years, Male, S/o Balindra Yadav,
 2. Rohit Yadav, aged about 19 years, Male, S/o Binod Yadav,
Both R/o village- Banthu Sri Ram, P.S.- Andar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-06-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in connection with Siwan Mahila P.S. Case No. 75 of 2018 registered for the offence punishable under Sections 376 (D) of the Indian Penal Code and Sections 4, 6 and 8 of the POCSO Act.

The allegation against the petitioners is that as per FIR it appears that on 19.10.2018 at about 11 P.M. at night the informant of this case Nisha Kumari was returning for his house along with her brother Vishunpur from Drama both the petitioners caught hold her and brought her in to a field and committed rape with her and gave her open threat not to do any case. Hence this case has been brought into the existence. In



medical test the allegation of rape is found to be true and her age is assessed to be 16-17 years.

Considering the aforesaid facts and circumstances of the case, the seriousness of allegation, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners are rejected in connection with Siwan Mahila P.S. Case No. 75 of 2018 (Sessions Trial No. 117 of 2019) from the Court of learned 1st Addl. Sessions Judge-cum- Special Judge, Siwan.

This application is dismissed accordingly.

The trial court is directed to conclude the trial within a period of one year from today.

(Anjani Kumar Sharan, J)

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