

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26336 of 2019

Arising Out of PS. Case No.-302 Year-2018 Thana- BARAUNI District- Begusarai

PRAMOD RAI Son of -Late Uttam Rai, Resident of- Ward No. 7, Amarpur,
P.S.- Barauni, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 17-08-2019 Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in connection with Barauni P.S. Case No. 302 of 2018 dated 09.07.2018 instituted for the offence under Section 376 of the Indian Penal Code.

The mother of the informant is said to have been ravished by the petitioner. It further appears from the FIR that the victim is a physically disabled person and was raped when she had come out of her house to attend to the call of nature.

Mr. S.K. Lal, learned counsel for the petitioner has submitted that the entire prosecution version is incorrect and motivated for the following reasons. The victim was immediately put to medical test as also



Ultrasonography and nothing was found which could indicate that the allegations made against the petitioner were correct. The second contention raised on behalf of the petitioner is that the village is dominated by one caste and the petitioner happens to be a person of the dominant caste and therefore he has been made accused in this case in order to put the entire dominant caste of the village to a difficult situation.

The petitioner is said to be in custody since 10..07.2018.

Regard being had to the nature of accusation, I am not inclined to grant bail to the petitioner for the present.

Accordingly, the prayer for bail is rejected.

If the case does not progress further, it would be open for the petitioner if so advised to approach this Court again.

(Ashutosh Kumar, J)

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