

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35201 of 2019

Arising Out of PS. Case No.-24 Year-2018 Thana- MAHILA PS District- Jehanabad

BIPIN KUMAR, aged about 25 years, Gender-Male, Son of Rajendra Prasad,
Resident of Village- Pirogha, P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bibhuti Narayan

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 30-08-2019 Heard learned counsel for the petitioner, learned counsel
for the informant and the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 323, 341, 376, 504/34 of the
Indian Penal Code and 4 POCSO Act.

FIR is instituted on the written report lodged by informant
cum victim cum Prosecutrix alleging therein that four months
before one Suruchi Kumari took her for natural call outside the
village. Co-accused Chandan Kumar was there, then Suruchi
Kumari left the place and he started outraging the modesty of
victim and threatening her. He called this petitioner and after
showing victim a small Banduk forcibly undressed her and after
pulling her salwar committed rape upon her. They also
threatened not to disclose his matter otherwise their parent



would be killed. On 20.05.2018 in the evening accused called her in the dead night and when she did not go there on the next day accused humiliated her brother and told him about the forcibly rape committed upon his sister. On the said basis this case was instituted against this petitioner and co-accused Chandan Kumar and investigation started.

Learned counsel for the petitioner has submitted that the petitioner belongs to other village and unnecessarily he has been implicated in this case.

The learned counsel for the informant has submitted that the co-accused of the present case, the bail application has been rejected by the Co-ordinate Bench of this Hon'ble Court in Cr. Misc. No. 78649 of 2018 dated 18.01.2019.

The victim has supported the story of her rape as well as participation of the petitioner in the alleged crime in her statement recorded under Section 164 of the Cr. P.C.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Jehanabad Mahila P.S. Case No. 24 of 2018 from the Court of learned Additional Sessions Judge-01, Jehanabad.

Accordingly, this application is dismissed.



Let the trial court be directed to conclude the trial within a period of one year from today. However, the petitioner would be at liberty to renew his prayer for bail, if the trial is not concluded within a period of one year.

(Anjani Kumar Sharan, J)

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