

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71052 of 2018

Arising Out of PS. Case No.-62 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ram Babu Singh Son of Late Ram Murti Singh Resident of Village-
Paspura,P.S. Muffasil,Distt.-Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur

For the Opposite Party/s : Mr.Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 18-01-2019 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Begusarai Muffasil P.S. Case No. 62 of 2018, registered for
the offence punishable under Sections 376/34 of the Indian
Penal Code.

The case of the prosecution as per the informant i.e.
the victim girl is that her husband had gone to Delhi for
livelihood and was working there as labour and on
06.02.2018 at about 11:30 in the night, when she was
sleeping in her room and no male member was present in her
house, the accused persons including the petitioner herein
had entered into her house and closed her mouth with



Gamchha (towel), whereafter the petitioner had committed rape with her.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the medical report does not corroborate the commission of rape by the petitioner on the victim lady. Lastly, it is submitted that the petitioner is languishing in custody since 12.02.2018.

I have heard the learned counsel for the parties and gone through the materials on record as also the case diary and the statement of the victim lady made under Section 164 Cr.P.C., it is apparent from the statement of the victim lady made under Section 164 Cr.P.C. that the accused persons including the petitioner herein had forcibly taken the victim lady to the field and had raped her. The materials available in the case dairy as also the examination of the place of occurrence by the Investigating Officer prima facie corroborates that the rape was committed by the petitioner.

Having regard to the facts and circumstances of the case as also the materials available on record, apart from the fact that the petitioner is said to have prima facie committed a heinous crime, I do not find any merit in the present bail



petition, hence, the prayer of the petitioner for grant of regular bail is rejected.

(Mohit Kumar Shah, J)

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