

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81604 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- MAHILA P.S. District- Rohtas

Ambika Singh Son of Late Jitan Singh Resident of Village - Barana, P.S.-
Rajpur, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 20-03-2020 Heard learned counsel for the petitioner and informant
as well as learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 341/323/376/379 of the Indian Penal Code in connection with Mahila P.S. Case No. 55 of 2019.

According to FIR, the petitioner allegedly ravished to the informant at about 8:00 PM when she was alone at her Dalan. The allegation has been supported by her family members and others as hearsay.

Learned counsel for the petitioner submits that the occurrence took place allegedly at 30.07.2019 and the victim was examined on 02.08.2019 at about 2:15 PM. The doctor did not find any sign of sexual assault. The FIR was also lodged



after delay of two days. Since the petitioner was a Chaukidar and the informant and others were indulged in illegal business of liquor just to pressurize the petitioner the false case has been lodged.

Learned counsel for the informant opposed the prayer for bail.

There is no proof that the petitioner ever reported about the illegal sale and purchase of liquor by the informant or any other members of her family nor any other strong material or motive to falsely implicate the petitioner by making such type of allegation is there. The petitioner has got identical criminal antecedent.

Considering the entire facts, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused. The trial Court is directed to expedite the trial.

(Birendra Kumar, J)

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