

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16822 of 2021**

Arising Out of PS. Case No.-108 Year-2020 Thana- SAHARSA SADAR District- Saharsa

Angad Yadav, male, aged about 45 years, Son of Mhanthi Yadav, Resident of Village - Dudhela, P.S.- Sonbarsa Kachahri, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 25-08-2021 Heard learned counsel for the petitioner and learned APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 376, 504 and 506 of the Indian Penal Code.

The informant alleged that while she was cutting grass in the field, the petitioner has forcibly committed rape on her.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The husband of the informant borrowed Rs.50,000/- from the informant and when the petitioner demanded his money with interest, the petitioner has falsely been implicated in the case by the wife of the informant. It is further submitted that the victim



was medically examined on 24.02.2020 and according to medical report, no sign of injury was found on any part of the body of the victim.

Learned APP opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner in the FIR that the petitioner forcibly committed rape upon the informant in the field. In the statement recorded under Section 164 Cr.P.C., the victim clearly stated that the petitioner forcibly raped her.

Considering the facts and circumstances of the case and the fact that the victim in her statement recorded under Section 164 Cr.P.C. clearly stated that the petitioner forcibly raped her, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Saharsa Sadar P.S. Case No.108 of 2020.

This application is dismissed.

However, the trial court is directed to expedite the trial conclude the same as expeditiously as possible.

(Anjani Kumar Sharan, J)

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