

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28334 of 2020

Arising Out of PS. Case No.-52 Year-2019 Thana- MAHILA PS District- Aurangabad

1. GAYA YADAV Son of Rajkeshar Yadav @ Rajkeshar Yadav Resident of Village - Amarpura, P.S.- Rafiganj, District - Aurangabad (Bihar)
2. Rajesh Kumar Verma Son of Late Kashinath Verma Resident of Village - Kajpa, P.S.- Rafiganj, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-01-2021 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are in custody since 18.03.2020 in connection with Mahila P.S. Case No. 52/2019 registered for the offences punishable under Sections 376D of the Indian Penal Code.

As per the prosecution case, this petitioner along with other co-accused committed rape on the informant.

It is submitted on behalf of the petitioners that the petitioners have been falsely implicated in this case. It is further submitted that the occurrence is said to have taken place on 25.10.2019 and the FIR has been lodged on 14.11.2019.



However, learned A.P.P. appearing on behalf of the State vehemently opposed the bail application and submitted that the victim in her statement recorded under Section 164 Cr. P.C. has supported the prosecution case and as per the medical report, doctor has also found sign of rape.

Considering the aforesaid facts and circumstances and the nature of allegations, I am not inclined to grant bail to these petitioners. It is, accordingly, rejected.

However, trial Court is directed to conclude the trial as early as possible.

(Prabhat Kumar Singh, J)

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