

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34300 of 2020

Arising Out of PS. Case No.-58 Year-2020 Thana- ATRI District- Gaya

RAJENDRA MANJHI Son of Jageshar Manjhi Resident of Village/ Mohalla-
Badra Badahpur, Police Station- Mufassil, District- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar, No.2, Advocate
For the Opposite Party/s : Mr. B.N.Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 15-03-2021 Heard Mr. Manish Kumar No. 2, learned counsel
appearing on behalf of the petitioner and Mr. B.N.Pandey,
learned APP for the State.

The informant alleged that while she and her sister-in-law went to cut grass in their field, her daughter, who is mentally retarded, remained near the tube well. She further disclosed that Rajendra Manjhi finding her daughter all alone, forcibly established physical relation with her. She further disclosed that when the victim protested, the petitioner is said to have given blow on her nose causing bleeding injury. On alarm, Rajendra Manjhi started fleeing away but he was apprehended by the villagers. Smell of alcohol was also coming from his mouth and he was handed over to the police.

The learned counsel for the petitioner submits that the



petitioner is innocent and he has committed no offence. The doctor found hymen of the victim intact. The mother of the victim deposed in the court and she did not support the case. She only disclosed that blood was oozing from the nose of her daughter and she suspected that Rajendra Manjhi might have committed all acts with her physically challenged daughter. The petitioner is in jail since 04.03.2020, hence, the petitioner may be enlarged on bail.

The learned APP opposed the prayer for bail.

Perused the FIR and the case diary.

The mother of the victim made specific allegation that while her daughter was sitting near the tube-well, she and her sister-in-law were cutting grass 50 meters away from the place of occurrence. The petitioner committed rape upon her. The victim girl is physically challenged. During course of investigation, the witnesses have also stated the same facts.

Taking into consideration the facts and nature of allegations made against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in custody since 04.03.2020, the trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of



this order. The Senior Superintendent of Police, Gaya is directed to ensure the presence of witnesses for the examination of the witnesses so that the trial must be concluded within six months.

Let this order be sent to the Senior Superintendent of Police, Gaya and the trial court for information and needful.

(Prabhat Kumar Jha, J)

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