

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7140 of 2021**

Arising Out of PS. Case No.-162 Year-2020 Thana- GAUTAMBUDHNAGAR District-
Siwan

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RUPESH GIRI @ RUPESH KUMAR GIRI SON OF SATYENDRA GIRI
RESIDENT OF VILLAGE-USARI POLICE STATION-GB NAGAR
DISTRICT-SIWAN

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate.
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 09-07-2021 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Narendra Kumar Singh, learned APP for the State.

The petitioner in the present case is seeking regular

bail in connection with G.B. Nagar P.S. Case No. 162 of 2020

registered for the offences punishable under Sections 366, 376,

328, 379, 34 of the Indian Penal Code and Section 66 of I.T.

Act.

Learned counsel for the petitioner submits that as per

the prosecution story, it is alleged that the petitioner, Rupesh

Giri, was the teacher of the informant and on 3.5.2020 he had



called her on the pretext of getting her job and took her his home and further they got in a vehicle in order to go for a job, in the meantime, the petitioner drugged her then she became unconscious and committed rape on her.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the victim girl had gone with the petitioner on her own and established physical relationship. The petitioner is in custody since 24.6.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this petitioner is said to be the person who had teaching the victim girl and for that reason the victim girl claims to have gone to him on the allurements that he will arrange the job for her but thereafter, she was made to smell some intoxicating things and thereafter she became unconscious, allegedly the petitioner committed rape on her and prepared video, whereupon she started crying and thereafter the petitioner confined her in his room, forcibly put sindoor on her and then established continuous physical relationship with her, the petitioner is aged about 34 years and he was teaching the victim



girl, finding the nature of allegation being heinous, this Court is not inclined to accept the submission of learned counsel for the petitioner that the victim girl had gone with the petitioner on her own and had established the relationship.

This application stands dismissed.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

