

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22416 of 2021

Arising Out of PS. Case No.-234 Year-2020 Thana- KARJA District- Muzaffarpur

BINOD RAI Son of Daroga Rai Resident of Village- Kandh Karja, P.S.-
Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 13-01-2022 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned A.P.P. for the State
in virtual Court proceeding.

Supplementary affidavit has been filed on behalf of
the petitioner for making correction in para-1 of the bail
petition.

The petitioner seeks bail in connection with Karja
P.S.Case No. 234 of 2020 registered for the offence under
Sections 365,366 and 506 of the Indian Penal Code.

The prosecution case, in short, is that the petitioner is
of criminal nature and who has enticed away the wife of the
informant, namely, Munni Devi. When the informant met with
this petitioner, he threatened to falsely implicate in the false case
of kidnapping of his son and he also threatened to lock the shop



which is in the land of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the present case is counter blast of Karja P.S.Case No.231 of 2020 under Sections 363,364,302,301/34 IPC lodged by the father of the petitioner against the informant and others, prior to the present FIR. He further submits that the police, after investigation, submitted the chargesheet against the petitioner. Petitioner is in custody since 07.09.2020.

Learned A.P.P. for the informant as well as learned A.P.P. for the State, on the basis of the case diary, have opposed the prayer for bail of the petitioner and have submitted that it is direct allegation against the petitioner in 164 Cr.P.C. statement of the victim girl. Para-38 of the case dairy, the statement of the victim has been recorded under Section 164 Cr.P.C. wherein she has not only supported the prosecution version but has also specifically attributed the allegation against the petitioner.

The report of the learned Trial Judge would reveal that the case is pending for evidence and now only three witnesses are yet to be examined.

Considering the aforesaid fact, I am not inclined to



enlarge the petitioner on bail in connection with Karja P.S.Case
No.234 of 2020 pending in the court of learned A.C.J.M., (West)
Muzaffarpur.

Prayer is refused.

The learned Trial Court is directed to expedite the
trial.

(Rajesh Kumar Verma, J)

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