

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20900 of 2022

Arising Out of PS. Case No.-419 Year-2021 Thana- BARHARA District- Bhojpur

TRIBENI RAJAK S/o Kishori Rajak R/o village- Babhangama, P.S.-
Barahara, District- Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 16-08-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 376 of the
Indian Penal Code.

As per the prosecution case, the petitioner is alleged
to have raped the informant forcibly after entering her house.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from the conscious possession



of the petitioner. There is no injury as per the medical report. The petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 20.07.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. Learned counsel has further submitted that there is specific allegation against the petitioner for committing rape continuously and the victim girl is a handicap lady. The victim in her statement recorded under Section 164 of the Cr.P.C has stated the name of the petitioner who committed rape on her.

Considering the aforesaid facts and circumstances as well as the specific allegation against the petitioner, I am not inclined to enlarge this petitioner on bail. Therefore, the prayer for bail of this petitioner is rejected

Learned Trial Court is directed to expedite the trial and conclude the same preferably within 9 months.

The bail petition stands rejected.

(Chandra Prakash Singh, J)

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