

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31225 of 2021

Arising Out of PS. Case No.-491 Year-2020 Thana- PURNEA SADAR District- Purnia

RAM BILASH URAON @ RAM BILAS Son of Sant Lal Uraon Resident of
Village - Khakharaili, Police Station - Sadar (Muffasil), Ranipatra, District -
Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Adv.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-02-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Sadar
(Muffasil) P.S. Case No. 491 of 2020 registered for the offence
under Sections 376 and 313 of the Indian Penal Code and
Section 8, 16 of the POSCO Act.

The petitioner is said to have established physical
relation with the informant on the pretext of marriage and
after some time, the petitioner refused to perform marriage
with her.



Learned counsel for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. He further submits that the police after conclusion of investigation has submitted charge sheet under Section 376 of the Indian Penal Code against the petitioner. He further submits that it appears from the F.I.R. itself that the same has been lodged after two years from the date of occurrence without explaining the plausible delay. No such occurrence as alleged in the F.I.R. has taken place. The petitioner is rotting in judicial custody since 02.01.2021.

Learned A.P.P. for the State on the basis of case diary and the materials available on record has, vehemently, opposed the prayer for bail of the petitioner and submits that the complainant/informant in her statement recorded under Section 164 of the Cr.P.C. supported the allegation against the petitioner as alleged in the F.I.R. and the medical report also reveals that at the time of medical examination, the victim was pregnant. Apart from that, other witnesses have also supported the prosecution version and their statement are at paragraph 4, 5 and 6 of the case diary. Hence, the petitioner does not deserve to be enlarged on bail.



Considering the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

brajesh/-

(Rajesh Kumar Verma, J)

U		T	
---	--	---	--

