

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23363 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- MAHILA P.S. District- Lakhisarai

Hira Sao Son Of Sadhu Sharan Sao R/O Village- Nandnama, P.S.- Ramgarh
Chowk, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Sen Prasad Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 29-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mahila P.S. Case No. 10 of 2021 lodged under Sections 376(D)
and 448 of the I.P.C.

As per the prosecution case, the informant (pseudo
name) has alleged that rape has been caused by the petitioner
alongwith other co-accused persons and in the said crime, the
petitioner has played active role. With this allegation, the
present F.I.R. has been lodged.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel

submits that the petitioner is the relative and friend of the husband of the prosecutrix and had given Rs. 2 lac out of trust to her husband as part of consideration money to purchase his land one year ago and present case has been filed only with a view to digest the said used money. Counsel submits that petitioner is in custody since 27.10.2021 and that the charge sheet has already been filed in this case. Counsel submits that antecedent of the petitioner is clean.

Learned counsel for the State opposes the prayer for bail and submits that after lodging of the F.I.R., the victim has fully supported the prosecution case under Section 164 of Cr.P.C. Report has been called for in which out of 6 witnesses, 5 prosecution witnesses have been examined.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail petition is hereby rejected.

Trial Court is directed to expedite the trial as early as possible.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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