

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35987 of 2021

Arising Out of PS. Case No.-369 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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SULO YADAV Son of Late Muni Yadav Resident of Village - Ahokghat, P.S.-
Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 01-02-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 376, 379, 506
and 34 of the Indian Penal Code.

As per the prosecution case, on the point of pistol
while Mungo Yadav is said to have tied the mouth of the
informant with a towel it is stated that the petitioner and one
another committed rape on the informant.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case due to
oblique reasons. Referring to the further statement of the
informant recorded under section 161 Cr.P.C. it is stated that
from the contents thereof it would be evident that the informant
was having a relationship with the petitioner and was living with



him to the knowledge of all. No offence under section 376 of the Indian Penal Code is made out. The the allegations levelled in the F.I.R. are false and concocted. The petitioner is in custody since 25.12.2019 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that from the allegations in the F.I.R. together with the material that has transpired in course of investigation, there is direct allegation against the petitioner of having committed rape on the informant and even today he continues to give threats.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the allegations levelled against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

It is submitted by learned counsel for the informant that the witnesses on behalf of the prosecution are ready to depose in the trial and would not delay the same.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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