

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49225 of 2021**

Arising Out of PS. Case No.-362 Year-2021 Thana- SARAIYA District- Muzaffarpur

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AMAN KUMAR S/o SANJAY KUMAR MAHTO R/o VILLAGE-
WAJITPUR KODARIYA, CHAMARUA, P.S-KUDHANI, DISTRICT-
MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 24-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376, 341, 342, 344, 323, 448, 506 and 34 of the Indian Penal Code.

As per the prosecution case, the allegation against the petitioner and one another is of having committed rape on the informant.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The petitioner and the informant happen to be cousins, their mother being full sisters. The cause of false implication is the dispute over property of their maternal grand father. There is an unexplained delay of more than four months in lodging of the FIR. The petitioner is in custody since 23.5.2021 and has no criminal antecedent. Charge sheet has been submitted in the case and he undertakes to cooperate in the trial.

Heard learned APP for the State.



Having heard learned counsel for the parties and taking into consideration the facts of the case together with the allegation having been supported by the informant in her statement under section 164 Cr. P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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