

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41037 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- MAHILA P.S. District- Vaishali

SANOJ PASWAN S/o Shri Bhola Paswan R/o village- Basudeopur Chandel,
P.S.- Mahnar, District- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Braj Kishore Singh Chouhan

For the Opposite Party/s : Mr.Md. Aslam Ansari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 04-11-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Mahila P.S. Case No. 08 of 2022, registered for the
offences punishable under Sections 376 (D)/34 of the Indian Penal
Code.

As per allegation, when the prosecutrix who was going
to Patori Bazar at 11.30 am, the petitioner and co-accused Sonu
Paswan came there riding on a motorcycle and they asked her to help
in dropping her home. The accused persons brought her at Tari
(Chour) near river and committed gang rape at the point of knife and
after ravishing the prosecutrix they left her there and went away.



Learned counsel for the petitioner has submitted that no sign of rape has been found as per medical examination. He has also submitted that petitioner has falsely been implicated due to dirty village politics.

The victim in her statement under Section 164 of the Cr.P.C. has reiterated the allegation made in her fardbeyan. The motive of false implication has not specifically been mentioned. In my view, it is not a fit case for bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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