

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57946 of 2021

Arising Out of PS. Case No.-144 Year-2021 Thana- PIRPAINTI District- Bhagalpur

Shekhar Kumar Son of Vijjo Das @ Bijo Das Resident of Village - Jamalpur
Indrukh Tola, P.s.- Naya Ram Nagar, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar Singh

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 376/34 of the Indian Penal Code.

According to prosecution case, as per the informant is that on 01.07.2021 in the night she had gone to answer the call of nature in the field situated beside her house. As soon as she sat to answer the call of nature accused Shekhar Kumar came from behind and caught the informant and grounded her on the earth and committed rape on her. She raised alarm. On her noise



the father of the informant came then Shekhar Kumar fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact the petitioner was in love with the petitioner. He further submits that the informant is the distant relative, she is sister-in-law of his Bhabhi. The petitioner is in custody since 05.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim which was recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner has committed rape upon her.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Pirpainti P.S. Case No. 144 of 2021 (G.R. No. 2935/2021) pending in the court of learned Additional Chief Judicial Magistrate-XI, Bhagalpur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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