

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65579 of 2021

Arising Out of PS. Case No.-71 Year-2020 Thana- PRANPUR District- Katihar

Nand Kumar Yadav, S/O Parampat Yadav R/o- Gauripur, P.S.- Prampur, Distt.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Sanjeev Kumar Singh, Adv. Mrs. Preeti Kunwar, Adv.
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 03-08-2022 Heard Mr. N.K. Agrawal, learned Senior Counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Prampur (Roshna) P.S. Case No.71/2020 instituted under Section 376 of the Indian Penal Code.

As per the FIR, the informant has alleged that while she was on a morning walk, the petitioner herein dragged her in the field and forcibly raped her. Before leaving, he threatened the informant that if the same is informed to anyone, she will have to face dire consequences.

In this case, case diary as also status report of the trial



was called for and the same has been received/perused.

The statement of victim girl under Section 164 of the Cr.P.C. is part of case diary and the girl has echoed the prosecution story in the said statement too.

Taking into account the direct allegation against the petitioner of raping the informant is in the FIR which finds corroborated in subsequent statement under Section of the 164 Cr.P.C, this Court is not inclined to grant the privilege of bail to him, which is hereby rejected.

As per the status report, charge was framed on 15.02.2022 and thereafter discharged petition was preferred on behalf of the accused/petitioner which was pending for hearing as per the report dated 25.05.2022.

The Trial court is directed to expedite the Trial and conclude the same preferably within a period of nine months.

(Rajiv Roy, J)

Prakash Narayan /-

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