

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66515 of 2021

Arising Out of PS. Case No.-99 Year-2021 Thana- HASPURA District- Aurangabad

VIJAY CHAUDHARY SON OF CHANDRADEO CHAUDHARY
RESIDENT OF VILLAGE- MISIR BIGHA, P.S- DAUDNAGAR, DIST-
AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Rajendra Singh Shastri, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 21-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Haspura P.S. Case No. 99 of 2021 registered for the offences
punishable under Sections 376, 354(C) of the I.P.C. and 66(E),
67, 67(A) of I.T. Act.

As per prosecution case, petitioner being cousin
brother-in-law of the informant made physical relation with the
informant by alluring her before the marriage of informant and
also made video from mobile and promised the informant that
he would not come to her after her marriage. It is further alleged



that after marriage of informant, on 27.05.2021 the petitioner came to her sasural and forcibly raped her and also made the earlier video viral by making an ID in the name of Rani Gupta.

Learned counsel for the petitioner submits that petitioner is in custody since 16.06.2021. Petitioner bears criminal antecedent of one case. He further submits that from perusal of the FIR, it is evident that informant and petitioner are relative. The occurrence took place on 27.05.2021 but the FIR has been lodged on 14.06.2021 which creates serious doubt regarding genuineness of the prosecution case. He further submits that petitioner has been falsely implicated in this case due to dirty village politics.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner. He submits that the petitioner committed rape upon the informant and also made the video viral by making an ID in the name of Rani Gupta which has been mentioned in para 13 of the case diary and the same is also supported by the victim in her statement recorded under Section 164 of Cr.P.C.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with statement of victim recorded under Section 164 of the



Cr.P.C. and also material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Alok Kumar Pandey, J)

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