

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72135 of 2021

Arising Out of PS. Case No.-296 Year-2020 Thana- BAIRIYA District- West Champaran

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NOOR HASAN GADDI @ NURHASAN GADDI S/o Hira Gaddi, R/o
Village- Malahi Tola, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 17-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Bairiya P.S. Case No. 296 of 2020 lodged under Sections 376,
504 and 506/34 of the Indian Penal Code.

As per the allegation, the informant has disclosed that
her daughter went for natural call in the field of sugarcane and
the informant has faith that his mentally ill daughter has been
raped by the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner himself is old aged person of about 65

years and the allegation of rape is absolutely false and not correct. He further submits that petitioner is in custody since 15.07.2021 having clean antecedent and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that in 164 statement the alleged victim has adduced her evidence with the help of recognized interpreter and categorical statement is to rape with her.

In the present facts and circumstances of the case, I am not inclined to grant bail to the petitioner, therefore, the bail petition of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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