

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72441 of 2021

Arising Out of PS. Case No.-127 Year-2021 Thana- BALRAMPUR District- Katihar

1. Rahman Son Of Md. Lukhman Ali @ Alauddin R/O Village- Hashanpur, P.S.- Balrampur, District- Katihar
2. Jalal Son Of Alauddin R/O Village- Hashanpur, P.S.- Balrampur, District- Katihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs.Kumari Sujata Sinha, Advocate
For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-05-2022 Heard counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks.

The petitioners are in custody in connection with
Balrampur P.S. Case No. 127 of 2021 under sections 376/34 of
the Indian Penal Code and 4 of POCSO Act.

The allegations against both the petitioners are that
they along with one Nekail caught hold of the victim girl when
she had gone to attend nature's call and on the 'knife' point
Nekail raped her. These two petitioners were present there
watching the same.

Subsequently, the victim girl gave her statement under



section 164 of the Cr.P.C. and has supported the prosecution theory elaborating that a towel was put inside her mouth and she was taken to a place near boring machine in the wheat field where Nekail committed rape her and rest two were standing there watching the incident.

Considering the allegations levelled against the two petitioners in the FIR, this Court is not inclined to grant them any relief and the bail application is hereby rejected.

The trial court is directed to expedite the trial and conclude the same at an earliest without unnecessary adjournment.

(Rajiv Roy, J)

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