

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4904 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- RAMKRISHNANAGAR District- Patna

PINTU KUMAR Son of Birendra Prasad Singh R/V- Usfa Abdullahchak, P.S-
Gaurichak, Dist- patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Prasad
For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 376(D)/34 of the

Indian Penal Code and Section 25(1-b)a, 26, 35 of Arms

Act.

The allegation against the petitioner and other

co-accused persons is that they committed gang rape

with the informant/victim at the point of pistol. It is



further alleged that one live cartridge has been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There is contradiction in prosecution case and statement of victim recorded under Section 164 of Cr.P.C. The medical report of the victim/informant has not corroborated with the prosecution version of the case and there is no sign of sexual intercourse. Moreover, the petitioner is in judicial custody since 08.05.2022.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that there is direct allegation against the petitioner and other co-accused of committing rape, on the point of pistol, with the victim/informant.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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