

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5674 of 2023

Arising Out of PS. Case No.-181 Year-2022 Thana- PRANPUR District- Katihar

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Dharmendra Rai @ Dharmendra Kumar Rai, son of Parmeshwar Rai, resident
of Village-Budhaili, P.S.-Pranpur, District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-09-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 323, 376, 504, 506 of the Indian Penal Code.

It is alleged that while the informant was

sleeping with her children in the night, this petitioner

broke the gate of the house and forcefully committed

rape upon her and threatened of dire consequences, if

she discloses the incidence to anyone.



It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The victim is married lady and the doctor has not found recent sexual assault upon the informant. There is no eye witness to the occurrence. The petitioner is languishing in custody since 22.08.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the specific accusation of committing wrong is against the petitioner and the victim in her 164 Cr.P.C statement has also specifically alleged against the petitioner that he forcefully committed rape upon her.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner



stands rejected.

The Trial Court is directed to expedite the trial
and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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