

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13338 of 2023

Arising Out of PS. Case No.-16 Year-2017 Thana- NTPC District- Bhagalpur

BALESHWAR RAY @ BALESHWAR RAI Son of Late Jitan Ray @ Late
Jitan Rai R/v- Adalpur, P.S.- Motipur, District-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma

For the Opposite Party/s : Mr.Jai Narain Thakur

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with N.T.P.C. P.S. Case No. 16 of 2017, registered for the offences punishable under Sections 365, 420, 376/34 of the Indian Penal Code.

As per allegation, co-accused Chameli Devi took the wife of the informant at the pretext of providing her some job. His wife did not return and even after hectic search she could not find.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Co-accused Chameli Devi has been granted bail and co-accused Rajesh Mandal and Mithilesh Rai have also been granted bail by the coordinate Benches of this Court. Subsequently,



Chameli Devi and Hriday Mandal was acquitted in Session Trial No. 703 of 2017.

On the other hand, the learned APP, Shri J.N. Thakur has opposed the prayer for bail and has submitted that the case of the accused who has been acquitted cannot be equated with the present petitioner as he remained absconding for a considerably long duration and the case was split-up due to his fault. He has also submitted that the victim specifically alleged in her statement under Section 164 of the Cr.P.C. that the petitioner had sexual relations with her and other co-accused persons sold her in the hand of the petitioner.

In my view, the petitioner does not deserve the privilege of bail. Accordingly, it is rejected.

The trial court is directed to expedite the case and take every endeavor to dispose it of within a period of nine months.

If the trial is not concluded within the stipulated period, the petitioner, if so advised, may renew his prayer for bail before the learned court below itself.

(Nawneet Kumar Pandey, J)

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