

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18455 of 2022**

Arising Out of PS. Case No.-27 Year-2021 Thana- MAHILA PS District- Gaya

BIRENDRA MANJHI Son of Naresh Manjhi Resident of Village- Sanda,  
Gulzarbagh, P.S.- Tekari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                            |
|--------------------------|---|----------------------------|
| For the Petitioner/s     | : | Mr. Ayush Kumar, Advocate  |
|                          |   | Mr. Yogesh Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Rajendra Nath Jha, APP |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      06-01-2023                      Heard learned counsel for the petitioner and learned  
APP for the State through video conferencing.

The petitioner has prayed for grant of regular bail in a  
case registered under sections 376D of the Indian Penal Code.

As per the prosecution case, the petitioner and one  
another accused committed rape on the informant.

It is submitted by learned counsel for the petitioner  
that the petitioner has been falsely implicated in the case. There  
is an unexplained delay of three days in lodging of the FIR. The  
medical report does not support the prosecution case. No  
independent witness has supported the allegations leveled by the  
informant. The petitioner is in custody since 8.8.2021 and  
charge sheet has been submitted in the case. He has no criminal



antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegations against the petitioner in the FIR together with the victim having supported the allegations in her statement under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

**(Partha Sarthy, J)**

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