

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24280 of 2023

Arising Out of PS. Case No.-42 Year-2014 Thana- MAHILA P.S. District- Samastipur

1. ASHOK KUMAR @ ASHOK RAI Son of Umesh Rai R/V- Simri Chandrasan PS- Khanpur, Dist- Samastipur
2. Mithlesh Rai @ Mithilesh Ray Son of Vinay Rai R/V- Simri Chandrasan PS- Khanpur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the petitioners and
learned APP for the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioners seek bail in connection with
Samastipur Mahila P.S. Case No. 42 of 2014 registered for the
offence under Section 376(g) of the Indian Penal Code.

As per the prosecution story, On 19.10.2014 around
10:00 PM, the informant went out to meet nature's call when
Deepak Rai, Ashok, Vidyanand Rai, Ashok Rai, Mithlesh Rai



caught her and when she raised alarm, then *Deepak Rai* pressed her mouth and dragged her and took her to a nearby "*Chaur*" and put off her *Salwar* and started pressing her breast. *Mithlesh Rai* and *Deepak Rai* and others assaulted her and threatened her to keep mum otherwise they will kill her. Thereafter the accused persons raped her turn by turn due to which she started bleeding and accused *Deepak Rai*, *Vidya Nand Rai* and *Mithlesh Rai* also committed wrong with her, after this the accused persons went away by threatening her not to say the occurrence to anyone otherwise they will kill her. Her mother somehow arrived there along with some other persons and took her back to home, then *Mukhiya* of the village *Shiv Narayan Rai* told her that the matter will be settled in a *Panchyati* but even after three days nothing has happened.

Learned counsel for the petitioners submits that the petitioners are in custody since 23.02.2023 and the petitioners have no antecedent.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the aforesaid facts and perusing the materials available on record, I am not inclined to grant bail to the petitioners.



The Trial Court is directed to expedite the trial of
the petitioners.

This application stands rejected.

(Sandeep Kumar, J)

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