

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28623 of 2023

Arising Out of PS. Case No.-424 Year-2022 Thana- JAKKANPUR District- Patna

Vikash Jha @ Vikash Kumar Son Of Vimal Kant Jha @ Vimal Jha @ Vishal Jha R/V- Kamal Sanha, Ps- Saheb Kamal Dist- Begusarai Presently Resident At Mohalla- Bigrampur, Ps- Jakkanpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan

For the Opposite Party/s : Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

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

The petitioner seeks bail in connection with
Jhakkanpur P.S. Case No. 424 of 2020 registered for the offence
under Sections 341, 323, 506, 376 of the Indian Penal Code.

The allegation against the petitioner is of committing
rape with the victim/informant. During investigation, the police
has found the case to be true against the petitioner on the basis
of evidence brought on record including the detailed statement
of the victim recorded under Section 164 of the Cr.P.C. in which
she has stated as to how the petitioner committed rape upon her.



The defence of the petitioner is that the petitioner and the victim were working in a sweet shop and therefore the victim had a sexual relationship with the petitioner and the same has not been supported by witnesses examined during the investigation. At this stage, the statement of the victim which is a detailed one is sufficient to reject the prayer for bail of the petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody since 15.08.2022 and the petitioner has falsely been implicated in this case.

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

Considering the aforesaid facts and the allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner.

Accordingly, this application stands rejected.

The Court below is directed to expedite the trial of the petitioner.

(Sandeep Kumar, J)

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