

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33222 of 2022

Arising Out of PS. Case No.-236 Year-2021 Thana- RUPASPUR District- Patna

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KUWAR RAJ SINGH Son of Bipin Kumar Singh Resident of Flat No.- 501,
Shreyas Garden Apartment, Abhiyanta Nagar, Baily Road, Danapur, Patna -
801503

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyajeet Pandey

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 16-01-2023 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Rupaspur P.S. Case No. 236 of 2021 registered for the offences

punishable under Sections 417, 376,313,315, 504 and 506 of the

Indian Penal Code.

As per prosecution case, there is allegation against

the petitioner to have made physical relation with the victim. It

is further alleged that he forced victim for terminating

pregnancy several times. It is further alleged that petitioner left

the victim in lurch and intimidated the victim that he is going to



solemnize the second marriage. It is further alleged that petitioner threatened the victim to kill.

Learned counsel for the petitioner submits that petitioner is in custody since 31.01.2022 and bears no criminal antecedent. He further submits that relation between petitioner and victim are consensual and no offence is made out under Section 376. He further submits that petitioner is quite innocent and committed no offence as alleged in the FIR

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner to commit rape during the course of living together and petitioner forces victim for terminating pregnancy several times which was also supported by statement of victim recorded under Section 164 of Cr.P.C.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with statement of victim recorded under Section 164 of Cr.P.C as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the learned trial court is directed to conclude the trial within six months from the date of



receipt/production of copy of this order to the court concerned.
If the trial is not concluded within the stipulated period,
petitioner may renew prayer of bail.

(Alok Kumar Pandey, J)

vashudha/-

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