

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44074 of 2023

Arising Out of PS. Case No.-158 Year-2021 Thana- KOPA District- Saran

Rajnath Rai @ Rajnath Son Of Late Prabhu Ray @ Prabhunath Ray Resident
Of Village - Piano Ke Tola Belwa, P.S. - Kopa, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under Section
302 of the Indian Penal Code.

The prosecution case as per F.I.R is that while
the niece of the informant was taking bath, this
petitioner took photographs and when she resisted and
called the informant, this petitioner assaulted the
informant on his head as a result of which, he sustained
injuries. It is further alleged that on 06.09.2021, the
petitioner forcibly took away the niece of the informant



by motorcycle. The informant followed the petitioner and found the dead body of the niece of the informant near railway crossing.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. In fact, the niece of the informant was crossing the railway track and met with an accident and taking the advantage of her accident, this false case has been registered against the petitioner. The postmortem report also suggests the cause of death by train accident. The petitioner is languishing in custody since 28.04.2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is named in the F.I.R. Earlier, the informant had lodged a case against the petitioner for outraging the modesty of niece of the informant. The petitioner forcefully took away the niece of the informant and thereafter the dead body of



the niece of the informant was found. The independent witnesses have also supported the case of the prosecution during trial.

Considering the fact that there is specific accusation against the petitioner, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

