

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44713 of 2022

Arising Out of PS. Case No.-148 Year-2022 Thana- MOKAMAH District- Patna

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Raju Kumar S/O Yaddu Yadav Resident Of Village- Mekra, P.S.- Mokama,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-02-2023 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

376 of the Indian Penal Code.

It is a case of commission of rape of the

informant by the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. There is contradiction in the

written report and the 164 Cr.P.C statement of the



informant which shows that a concocted story has been made against the petitioner. The informant is a married lady having four children. The petitioner is languishing in custody since 27.05.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the victim in her 164 Cr.P.C statement has specifically alleged against the petitioner. The independent witnesses have also supported the case of the prosecution.

Considering the fact that informant has specifically alleged against the petitioner to have committed rape upon her, this Court is not inclined to grant privilege of bail to the petitioner.

The prayer for bail of the petitioner stands rejected for the present.

The Trial Court is directed to expedite the trial



and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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