

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47137 of 2022

Arising Out of PS. Case No.-78 Year-2022 Thana- AMNAUR District- Saran

Shyamanand Tiwari @ Mishir Son Of Late Pushkaranand Tiwari R/O Village-Baldiha, P.S.- Amnaur, District- Saran (CHAPRA).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with Amnaur P.S. Case No. 78 of 2022, instituted for the offence under Section 376 of the Indian Penal Code.

As per allegation in the F.I.R., it is a case of commission of rape by the petitioner. Statement of victim recorded under Section 164 of the Cr.P.C. which mentioned in Para 32 of the case diary. In her statement she stated that she received money from the petitioner earlier in respect of keeping physical relation with her.

Learned counsel for the petitioner submitted that petitioner is quite innocent and has been falsely implicated in this case. Petitioner has no criminal antecedent. Petitioner is



languishing in jail since 21.03.2022.

Learned APP appearing on behalf for the State vehemently opposed the prayer of regular bail and submitted that this petitioner specifically committed rape with the victim as supported by the victim in her statement recorded under Section 164 of the Cr.P.C. and during investigation other witnesses also supported the prosecution case.

Having heard the learned counsel for the parties and considering the nature of allegation, this Court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

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