

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58100 of 2023

Arising Out of PS. Case No.-209 Year-2021 Thana- RAGHOPUR District- Vaishali

Umesh Rai Son Of Harwanshu Rai @ Harwansh Rai Resident Of Village-
Mallikpur, Ps- Raghopur, Dist- Vaishali

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-10-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has renewed his prayer for bail in
connection with Raghopur P.S. Case no. 209 of 2021 registered
under sections 376 and other sections of the Indian Penal Code.

3. The allegation against the petitioner is of having
committed rape on the informant.

4. Learned counsel for the petitioner submits that the
earlier prayer for bail of the petitioner was rejected vide order
dated 13.1.2023 (Annexure-1) passed in Cr. Misc. no. 27221 of
2022. Besides no case under section 376 of the Indian Penal
Code being made out, the investigation officer as also senior
police authorities are also of the same opinion which would be
evident from the letter dated 20.3.2022 (Annexure-3). The
petitioner is in custody since 22.10.2021 and undertakes to



cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the trial has progressed.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 14.9.2023 one witness has been examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Liberty is granted to the petitioner to renew his prayer for bail in case of inordinate delay in trial in the learned trial Court.

(Partha Sarthy, J)

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