

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56959 of 2023

Arising Out of PS. Case No.-94 Year-2021 Thana- BAHERI District- Darbhanga

Raushan Yadav @ Raushan Kumar Yadav Son of Late Kari Yadav R/o vill -
Kerwakoith, P.S. - Baheri, Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 147, 148 341, 323, 448, 379, 504 and 506 of the Indian Penal Code and later on added Sections 458 and 376 of the I.P.C.

It is a case of assaulting and commission of rape with the informant's daughter by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is case and counter case between both the parties. It is further submitted that the petitioner has no criminal antecedent and languishing in judicial custody since 05.09.2022.

Learned APP appearing for the state has opposed the



prayer of regular bail and submitted that there is specific allegation against the petitioner that he committed rape with the informant's daughter. The victim supported the prosecution case in her statement recorded u/s 164 of the Cr.P.C. in which she stated that petitioner committed rape with her while she was sleeping in her house.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner upon the daughter of the informant, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

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

(Sunil Kumar Panwar, J)

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