

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63575 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- BIBHUTIPUR District- Samastipur

SAJJAN RAM @ SAJO S/O LATE LAKHAN RAM R/O VILLAGE-
BHUSWAR, WARD NO. 4, P.S- BIBHUTIPUR, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Mr. S.K. Shishir, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for grant of regular bail has been filed by the petitioner in Bibhutipur PS Case No. 84 of 2023 registered for the offence punishable under Section 376 of the Indian Penal Code.

It is a case of commission of rape by the petitioner upon the sister of the informant, who is of feeble minded, after calling her in his shop on 27.2.2023 and 5.3.2023.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. No one is the eye witness of the alleged occurrence. As per medical report, doctor has not found any internal or external injury upon the body of victim girl. Doctor has assessed the



victim's age between 24 to 25 years. Moreover, chargesheet has been submitted u/s 354(B) IPC after investigation by the police. Petitioner has got no criminal antecedent and languishing in judicial custody since 14.3.2023.

Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the victim girl was got recorded under Section 164 Cr.P.C., wherein she has made direct allegation of overt act against the petitioner. She is a feeble minded lady. During investigation, several witnesses have supported the prosecution case.

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

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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