

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73112 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- DAWATH District- Rohtas

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Vishal Kumar Son Of Chandrabhushan Ram R/O Village- Bodadhi, P.S.-
Dawath, District- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case
instituted for the offence under Sections 376, 341, 342, 504,
506/34 of the Indian Penal Code.

It is a case of committing rape by the petitioner to
the younger sister, aged about 17 years, of the informant,
while she was going to purchase something in the shop. It is
further alleged that the petitioner threatened her of dire
consequences.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. The Petitioner is languishing in judicial custody since 06.06.2022.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of bail and submitted that the statement of the victim girl was got recorded under Section 164 of Cr.P.C. which is mentioned in para 52 of the case diary, wherein she has made direct allegation of rape against the petitioner.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner, 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 and conclude the trial.

(Sunil Kumar Panwar, J)

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