

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69822 of 2022

Arising Out of PS. Case No.-8 Year-2022 Thana- MAHILA P.S. District- Vaishali

SONU PASWAN SON OF KAMLESH PASWAN R/O VILL.-
BASHUDEOPUR, CHANDEL, P.S.- MAHNAR, DISTT.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner instituted for the offence punishable under
Sections 376(D)/34 of the Indian Penal Code.

As per allegation in the FIR, informant came out of
house for going to Patori Bazar. She meet with the petitioner
and co-accused Sanoj Paswan who requested her to ride on their
motorcycle with an assurance to drop her at her house. They
brought her at Tetari Chaur near the river and gang raped her on
knife point and they went away.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Informant is an adult lady of 28 years. No one is eye



witness of the occurrence. Petitioner is languishing in judicial custody since 20.07.2022.

Learned APP appearing for the State has opposed the prayer of bail and submitted that statement of the victim girl was recorded under Section 164 Cr.P.C., wherein she has made direct allegation of rape against the petitioner. During investigation, in para 10 of the case diary, witness Shekhar Paswan has supported the prosecution story.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape upon the informant by 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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