

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21294 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- MEDNI CHAUKI District- Lakhisarai

Aayush Kumar @ Samant Kumar S/o Mirkin Mahto @ Amir Chand Mahto @
Amir Chandra Prasad Singh R/o vill - Abgil, Rampur, P.S. - Mednichouki,
Distt. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Mednichouki P.S. Case No. 143 of 2023 instituted for the

offences under Section 363, 366(A)/34 of the Indian Penal

Code.

3. As per prosecution case, the accused including

the appellant abducted the victim girl while she was sleeping

on the roof top. They put a bandage on her eyes and taken

to a room. The further allegation has been made that the

petitioner and two other accused persons committed rape

upon her.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to village politics. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 24.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that there is specific allegation of rape against the petitioner. The victim girl in her statement under Section 164 Cr.P.C. has named the petitioner and, thus, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account that the victim girl has taken the name of the petitioner in her statement under Section 164 Cr.P.C. as also the nature of allegation which is serious, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner,



above named, is rejected with a direction to the court below
to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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