

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24067 of 2024

Arising Out of PS. Case No.-728 Year-2023 Thana- MANER District- Patna

Sonu Kumar SON OF Sri Raj Kumar Rai @ Raj Kumar Village- Daudpur
Bgicha PS- Shahpur Dist -Patna

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SARITA KUMARI WIFE OF MANTU RAI RESIDENT OF VILLAGE-
SHAHPUR THAKURBADI, PS- SHAHPUR, DISTT- PATNA

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 52123 of 2024

Arising Out of PS. Case No.-728 Year-2023 Thana- MANER District- Patna

SAROJ KUMAR SON OF SUBHASH RAI Resident of Village - Daudpur,
Bagicha, Ward No. 2, P.S. - Sahpur, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 24067 of 2024)

For the Petitioner/s : Mr.Sunil Mishra

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

(In CRIMINAL MISCELLANEOUS No. 52123 of 2024)

For the Petitioner/s : Mr.Archana Mishra

For the Opposite Party/s : Mr.Md. Shakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 28-08-2024 Heard learned counsel for the petitioners as well as

learned APP for the State.

2. In this case, the petitioners are seeking regular

bail in connection with Maner P.S. Case No. 728 of 2023

registered for the offences punishable under Sections 376(D)



and 120B of the IPC.

3. As per allegation, when the informant was returning from market, the petitioner Saroj Kumar intercepted his way and snatched her mobile. On protest, Saroj Kumar threatened her to kill. Further, both the petitioners got her unconscious and took away her to Chhitnawan river where the petitioners along with other accused persons committed rape upon her.

4. The learned counsel for the petitioners has submitted that the petitioners are the person of clean antecedent and have falsely been implicated in this case due to dirty village politics. There is no eye-witness of the occurrence. In medical examination of the victim, no spermatozoa was found. The petitioner is under custody since 09.10.2023.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the victim, in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case. The petitioners threatened the victim to kill her had she narrated the occurrence to anyone.

6. Considering the above-mentioned facts and circumstances, the petitioners do not deserve the privilege for bail, which is hereby rejected.



7. The learned court below is directed to expedite the trial and take every endeavor to conclude the trial as early as possible.

(Nawneet Kumar Pandey, J)

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