

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55510 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- MAHILA PS District- Darbhanga

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Bipul @ Bipul Singh @ Bipul Kumar Singh @ Sumit Singh Son Of
Ramkaleshwar Singh Resident Of Village- Ganipur (Tarauni), Ps-
Bahadurpur, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal
		Mr. Vinay Kumar Mishra
		Mr. Gaurav Prakash
		Ms. Diksha Kumari
For the Opposite Party/s :		Mr. Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 376D, 506, 34 of the Indian Penal Code and Sections 4, 6 of the POCSO Act.

The allegation against the petitioner along with co-accused persons is that they abducted the informant due to ulterior motives. Thereafter, they committed rape upon her on



pistol point.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous enmity. It is submitted that the petitioner and informant was known to each other and there is love affair between them. From perusal of Medical Report, which is annexed with case diary, from which it appears that Medical report is not corroborated the prosecution version. It is further submitted that the petitioner is languishing in judicial custody since 29.05.2023.

Learned APP appearing for the state has vehemently opposed the prayer of regular bail and submitted that there is specific allegation against the petitioner and co-accused persons of commission of rape and they are also named in the FIR. During investigation, the statement of the victim was recorded under Section 164 of the Cr.P.C. which is annexed with case diary, wherein she has stated that the petitioner and others abducted her and committed rape upon her one by one.

Having heard the learned counsel for the parties and considering the facts and circumstances and gravity of this case, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.



The trial Court is directed to expedite the trial and
conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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