

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57424 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- ASHTHAWAN District- Nalanda

SURAJ SINGH @ SURAJ KUMAR SINGH Son of Yashwant Singh @
Yashwant Kumar Singh Resident of village - Kashimpur, Darhi, P.S. -
Athmalgola, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-01-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant. Perused the
case diary.

The petitioner has prayed for bail in connection with
Ashthama P.S. Case No. 96 of 2023 instituted for the offence
under Sections 376, 420 and 404 of the Indian Penal Code.

It is a case of commission of rape by the petitioner
with the informant/victim.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. He has falsely
been implicated in this case. The informant is a major girl. It is
further submitted in para 15 of the petition that family members
of the informant had been tortured and assaulted her since long



back as a result of which she fled away from her house with the petitioner out of her own sweet will. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, he is languishing in judicial custody since 13.04.2023.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that the petitioner is named in the FIR upon whom the informant/victim has made direct allegation of rape. The informant/victim supported the prosecution case in her restatement as well as statement recorded u/s 164 of the Cr.P.C. in which she has specifically stated that petitioner committed rape with her forcefully.

Having heard the learned counsel for the parties and considering the nature of allegation, 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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