

Arising Out of PS. Case No.-180 Year-2023 Thana- PIRPAINTI District- Bhagalpur

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AMIT KUMAR PANDEY S/o- PRAHLAD PANDEY Village- Sundrachak
Po- Refadpur Ps- Ishipur Barahat Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia
For the Informant : Mr. Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 04-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Pirpainti P.S. Case No.180 of 2023 registered for the offence under Sections 342, 509, 354(b) of the Indian Penal Code.

3. Allegation against the petitioner is to have committed rape upon the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that from perusal of FIR it appears that there is contradiction between FIR and Statement under Section 161 and 164 of the Cr.P.C. It is submitted that the medical report of the informant also not supported the factum of rape. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 18.06.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the submissions, as made above, as it appears from perusal of statement as made under Section 164 of the Cr.P.C. and other material the Investigating Officer found the case true under Section 342, 509, 354B, 376/34 and also in statement as made under Section 164 of the Cr.P.C. the victim stated specifically that this petitioner raped upon her and also other offence committed against this victim, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. The learned Trial Court is directed to conclude the trial, preferably, within a period of 06 (six) months from the date of receipt of a copy of this order. However,



petitioner would be at liberty to renew his prayer for bail, if the trial of this case could not be concluded within specified period.

(Ramesh Chand Malviya, J)

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