

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66980 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- AAJAM NAGAR District- Katihar

Sapan Mandal Son of Bhusai Mandal Resident of Village- Kandaul, PS- Azamnagar, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Syed Alamdar Hussain, Adv
	:	Mr. Prem Kumar, Adv
	:	Mr. Shashi Bhusan Kumar, Adv
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Azamnagar P.S. Case No. 51 of 2024 dated 11.02.2024 registered for the offence punishable u/s 376 and 506 of the I.P.C.

3. As per the prosecution case, on 10.02.2024 at about 9:35, the informant went for nature call at the corn farm in the meantime the petitioner came and slammed her on the ground and pressed her neck and forcefully committed rape on her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per the injury report, no injury or sign of rape has



been found on the body of the victim. The charge sheet has already been submitted. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the specific allegation of committing rape on the victim is against the petitioner and as per para 7, 8 and 9 of the case diary, all the prosecution witnesses have supported the case of prosecution.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Azamnagar P.S. Case No. 51 of 2024 pending in the court of learned A.D.J.,-1st cum Special Judge SC/ST Act, Katihar.

7. The application stands rejected.

8.The learned trial court is further directed to expedite the trial and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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