

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77681 of 2023

Arising Out of PS. Case No.-198 Year-2023 Thana- MADHUBAN District- East Champaran

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DHEERAJ KUMAR @ DIVYANASH KUMAR @ KUMAR DIVYANSH
S/O Lalbabu Sahni Resident Of Village- Kaudiya More, P.S- Madhuban,
Distt.- East Champaran, Prop. Of New Resonance Coaching Institute Block
Road, Madhuban.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sri Niwas Jha

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 363, 366, 376,

120(B)/34 of the Indian Penal Code.

Allegation against the petitioner is that in

connivance with co-accused persons, he abducted the

daughter of the informant.

It is submitted by learned counsel for the

petitioner that petitioner has been falsely implicated in



this case. Moreover, the petitioner is languishing in judicial custody since 28.07.2023. Medical report (mentioned in para 52 of the case diary) of the victim has not supported the prosecution version of the case as no spermatozoa was found. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that petitioner is named in the F.I.R. The victim has whispered about the complicity of petitioner in the alleged offence, in her statement recorded under Section 164 of Cr.P.C. She has stated that petitioner used to torture her. He assaulted her and ravished her thrice.

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.



Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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