

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78604 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- BIHPUR District- Bhagalpur

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Saurabh Kumar S/O Naval Kishor Yadav R/O Village- Lattipur, P.S- Bihpur,
Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Bihpur P.S. Case No. 278 of 2023 instituted for the offence
under Sections 457, 354D and 376 of the Indian Penal Code.

Allegation against the petitioner is that he entered the
room of the victim/informant and committed rape with her. It is
further alleged that earlier also, petitioner used to stalk and tease
the victim and used to send vulgar messages and threatened her
to viral her photographs.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case. It
Is further submitted from para-7 of this petition that the victim
is major and the allegation against the petitioner is not true and



also medical report does not corroborate the prosecution case. Moreover, he is languishing in judicial custody since 10.05.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in FIR and the statement of the victim was recorded under Section 164 of the Cr.P.C, in which she stated that this petitioner used to harass her earlier and that day, he came to her room and committed rape with her and also threatened to make her photographs viral. During investigation, witnesses supported the prosecution case.

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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