

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80914 of 2023

Arising Out of PS. Case No.-32 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Niraj Yadav S/O Rudal Yadav @ Rudal Singh R/O Village - Chandi, P.S.-
Charpokhari, District - Bhojpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 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 341, 323, 325, 379, 376, 385/34 of the Indian Penal Code. Charge-sheet has been submitted under Section 341, 354, 365, 385/34 of the Indian Penal Code and Section 12 of POCSO Act.

Prosecution case in nutshell is that petitioner along with other co-accused persons caught the informant and dragged her inside the vehicle and started assaulting. They locked her in the house of co-accused Kanhiya Singh and



started demanding ransom from one Shadhu Yadav. It is further alleged that petitioner along with co-accused Lalu Yadav ravished her and on protest, they assaulted her by means of Lathi due to which bone of her waist got fractured.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that there is no independent witness to support the prosecution version of the case. There is inordinate delay of 5 days in lodging the F.I.R. Moreover, petitioner is languishing in judicial custody since 09.07.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that victim has specifically whispered about the complicity of petitioner in her ravishment in her statement recorded under Section 164 of Cr.P.C. She has stated that petitioner along with co-accused Lallu Yadav has committed rape with her.

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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