

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.371 of 2024

Arising Out of PS. Case No.-89 Year-2013 Thana- RAMGARHWA District- East Champaran

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GOPAL PRASAD SON OF MOTILAL SAH RESIDENT OF VILLAGE -
CHAMPAPUR, P.S. - RAMGARHWA, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHILA DEVI WIFE OF UDAY PANDEY RESIDENT OF BADA
PAREUWA, P.S. - RAXAUL, HARAIYA O.P., DISTRICT - EAST
CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramgarhwa P.S. Case no.89 of 2013 registered under section 376 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the petitioner committed rape on her while one Santosh Tiwari assisted him in the occurrence.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. For an FIR of the year 2013, statement of the victim under section 161 Cr.P.C was recorded in the year 2022 and statement under section 164



Cr.P.C recorded in the year 2023. The matter ended in a compromise. The petitioner is in custody since 19.9.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation of rape against the petitioner in the FIR together with the allegations having been supported by the informant in her statement under section 164 Cr.P.C and for an FIR registered in the year 2013, the petitioner having been taken into custody only on 19.9.2023, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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