

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16133 of 2025

Arising Out of PS. Case No.-66 Year-2019 Thana- MAHILA P.S. District- Sheikhpura

Dilchand @ Dilchand Patel, aged about 60 years, (Male), son of Chhedu Ram Patel, Resident of Vill- Mauhadih PS- Birra Dist -Chapar, State- Chhattisgarh at Present Vill -Selara, PS -Basti Jajgir Lalganj Dist -Basti, State (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Section 364, 376(D), 379, 120(B) and 506 of the Indian Penal Code.

3. As per allegation in the FIR, it is a case of committing rape upon the lady priest by the petitioner and also snatched Rs.40,0000/-.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner has got one criminal antecedent as stated in para-3 of the petition and he is in custody since 24.01.2022.



5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is direct allegation of rape by the petitioner.

6. On perusal of the first information report and impugned order dated 28.01.2025, it appears that the informant has prayed to this Court to transfer this case record to some other district, accordingly, the matter was placed before the Hon'ble Court Patna seeking direction but till date no direction or instruction has been received, as the trial has been concluded and the matter is at the stage of passing judgment and during meantime, a transfer petition has been filed by the informant as also the fact that the petitioner has actively participated in the conspiracy of gang rape upon the lady priest as stated in the impugned order, so I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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