

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50279 of 2025**

Arising Out of PS. Case No.-131 Year-2024 Thana- BIRAUL District- Darbhanga

Ram Babu Sah @ Ram Babu Sahu S/o Prem Sahu R/o Vill- Ratirahi, P.S.-  
Biraul, Distt- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumari Devi W/o Budhan Sahu R/o Vill- Ratihari, P.S.- Biraul, Distt-  
Darbhanga

... .. Opposite Party/s

**Appearance :**

|                    |   |                                                                   |
|--------------------|---|-------------------------------------------------------------------|
| For the Petitioner | : | Mr. Krishna Prasad Singh, Sr. Advocate<br>Mr. Kedar Jha, Advocate |
| For the State      | : | Mr. Dilip Kumar No. 1, APP                                        |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      01-12-2025                      Heard learned senior counsel for the petitioner and  
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the  
offence punishable under Sections 363 and 34 of the Indian  
Penal Code.

3. As per prosecution case, it is alleged that on  
27.03.2024 at about 4:30 AM, while daughter of informant went  
to attend call of nature, in the meantime, this petitioner, along  
with other accused persons, confined her in a room and  
thereafter, committed rape.

4. It is submitted by learned senior counsel for the



petitioner that petitioner is quite innocent and has committed no offence. Informant is not an eye witness of the occurrence. As a matter of fact, both parties are co-villagers and due to village politics, this false and concocted case has been lodged. Moreover, charge-sheet has already been submitted and petitioner is in custody since 21.04.2025. Petitioner has got no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he, along with other accused persons, kidnapped the daughter of informant and committed rape. During course of investigation, the victim was recovered and in her statement recorded under Section 164 of the Cr.P.C., she has supported the prosecution case.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and statement of the victim recorded under Section 164 of the Cr.P.C., the prayer for grant bail of to the petitioner is rejected.

7. However, considering the fact that the petitioner is in custody since 21.04.2025, the learned trial court is directed to expedite the trial and conclude the same preferably within a



period of one year from the date of receipt/production of a copy  
of this order.

**(Prabhat Kumar Singh, J)**

shashank/-

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