

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61381 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- BALIYA District- Begusarai

Angad Kumar Son of Dharvendra Yadav @ Dharo Yadav R/O Village -
Tulsitol Ward No.- 2, P.S.- Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Narayan, Advocate
		Mr. Sunil Kumar Yadav
For the Opposite Party/s	:	Mrs. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-01-2025 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner. Earlier the
bail application of the petitioner was rejected vide order dated
10.01.2024 passed in Cr. Misc. No. 83776 of 2023.

3. The petitioner seeks regular bail in a case registered
for the offence under Section 376 of the Indian Penal Code.

4. The following order was passed on 10.01.2024 in
Cr. Misc. No. 83776 of 2023:-

Heard learned counsel for the
petitioner and learned Additional Public Prosecutor
for the State.

2. The petitioner is in custody since
28.07.2023 in connection with Ballia P.S. Case No.
204 of 2023 registered for the offence punishable
under Sections 376 of the Indian Penal Code.

3. As per the prosecution case, the



petitioner is accused of raping the daughter-in law of the informant.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He further submits that there is no eye-witness to the occurrence and therefore, the crime becomes doubtful. The petitioner has no criminal antecedents.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail. He further submits that materials have come during the investigation to support the crime in question as it is a case of rape.

6. Considering the fact that there is direct allegation of raping the girl against the petitioner, I am not inclined to grant him bail. It is, accordingly, dismissed.

5. It has been submitted by the learned counsel for the petitioner that out of five witnesses only one witness has been examined and cross-examined. The second witness has been examined but she has not turned up for cross-examination and therefore, the petitioner deserves bail. Petitioner is in jail since 28.07.2023.

6. Learned APP for the State has vehemently opposed the prayer for bail and has submitted that the petitioner is accused of committing rape with the daughter-in-law of the informant.

7. Considering the serious allegations levelled against the petitioner and the fact that trial has commenced, I am not inclined to grant bail to the petitioner.

8. Accordingly, this application for regular bail is



dismissed.

9. The Superintendent of Police, Begusarai is directed to ensure the appearance of the witnesses in the trial so that the trial does not get delayed unnecessarily.

10. Let a copy of this order be communicated to the Superintendent of Police, Begusarai through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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