

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81453 of 2024

Arising Out of PS. Case No.-296 Year-2022 Thana- PIPRA District- Supaul

Rajesh Mandal @ Raju Munshi S/o- Late Lakshman Mandal Village- Kaushal
Patti W.No-8, Ps- Pipra Dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruby Devi W/o- Brahmdeo Paswan Village- Dinapatti W.No-19, Ps- Pipra
Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mrs. Usha Kumari 1, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 30-01-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Pipra
P.S. Case No. 296 of 2022, instituted for the offences punishable
under Sections 376, 354(c) of the Indian Penal Code, Section
4/12 of POCSO Act and Sections 3(1)(r)(s)/3(2)(va) of SC/ST
(POA) Act.

3. The prosecution case, in short, is that, co-accused
Rashid showed a video in which it was showed that the
petitioner committed rape upon the informant's niece who is
deaf and dumb.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is no eye witness of the occurrence. The informant has not levelled any specific allegation against the petitioner in FIR. The petitioner is in custody since 03.10.2022 and has got no criminal antecedent.. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 22.05.2023 passed in Cr. Misc. No. 24700 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner is of committing rape upon a deaf and dumb victim and also made a video of the same. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

Rajorshi/-

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