

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83373 of 2024

Arising Out of PS. Case No.-122 Year-2024 Thana- DURAULI District- Siwan

Suraj Chauhan S/O Kedar Chaudhan Resident of Village - Piparahiyan, P.S. -
Darauli, District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi W/O Ramu Chauhan Resident of Village - Piparahiyan, P.S. -
Darauli, District - Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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

ORAL ORDER

4 24-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Darauli
P.S. Case No. 122 of 2024 instituted for the offences under
Sections 342, 323, 376, 379, 504 of the Indian Penal Code.

3. Accusation against the petitioner is of commission
of rape upon the victim girl.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that on perusal of the FIR it
appears that there is no mention of the date of occurrence. He
further submitted that there is no evidence to support the



allegations levelled in the FIR. He further submitted that as per medical report, there is no sign of recent sexual assault. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.05.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case. He further contended that even as per medical report, injury has been caused to the victim.

6. Considering the aforesaid facts and circumstances of the case, Section 164 Cr.P.C. statement of the victim, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

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