IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 7831 of 2021
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1. Rupesh Yadav
2. Vimlesh Yadav ... ... **Petitioners**

Versus

The State of Jharkhand ... ... **Opposite Party**

CORAM : HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY

For the Petitioners : Mr. A. K. Chaturvedy, Advocate
For the State : Ms. Lily Sahay, A.P.P.

02/07.09.2021 Heard Mr. A. K. Chaturvedy, learned counsel for the petitioners and Ms. Lily Sahay, learned A.P.P. for the State.

The petitioners are accused in connection with Herhanj P.S. Case No. 14 of 2021, corresponding to Special POCSO No. 17 of 2021.

It has been alleged that the petitioners had forcibly dragged the informant towards the field and had committed rape upon her.

Learned counsel for the petitioners submits while relying on the medical report that the factum of rape had not been established. It has further been stated that although it was a marriage ceremony from where the victim was said to have been abducted but it is surprising that not a single witness had seen the acts of the petitioners. Learned counsel further adds that the petitioners are in custody since 22.03.2021.

Learned A.P.P. has opposed the prayer for bail of the petitioners.

The averments made in the First Information Report seems to have been supported by the informant in her 164 CrPC statement in which specific allegation has been levelled against the petitioners of committing rape upon her.

Regard being had to the specific nature of allegation levelled against the petitioners, I am not inclined to grant bail to the petitioners. The prayer for bail of the petitioners is, hereby, rejected.

However, since the charge has been framed, the learned trial court is directed to expedite the trial.

(Rongon Mukhopadhyay, J.)

Umesh/-