

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28608 of 2013

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Manu Singh @ Manu Kumar Singh S/O Uday Singh Resident Of Village-
Samhuta, Police Station- Kachwan, District- Rohtas At Sasaram

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

3 24-12-2013

Heard learned counsels for the petitioner and the State.

Petitioner is apprehending his arrest in connection with
a case registered for the offence under Section 376/34 read with
Section 3(1) (x) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

It is submitted on behalf of the petitioner that the
prosecution story that the prosecutrix was subjected to rape by the
petitioner and three others, further allegation that she was abused
in the name of her caste is not to be believed in the light of the
medical report indicating her age between 18 to 19 years and that
she is habituated to regular intercourse and is also pregnant.

It appears that besides the averments made in the F.I.R.
the prosecutrix has also been examined under Section 164 of the
Code of Criminal Procedure and relying on the statement made
under Section 164 of the Code of Criminal Procedure, the request

of the petitioner for grant of bail in the event of arrest is rejected.

However, petitioner is directed to surrender in the court below, i.e., Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas, in connection with Kachwan P. S. Case no. 10 of 2013 (G.R. no. 170 of 2013) within a period of four weeks from the date of receipt/production of a copy of this order and apply for regular bail in the light of the findings of the medical officer which should be considered in accordance with law.

Let this order be communicated to the court below aforesaid through fax at the cost of the petitioner.

(V.N. Sinha, J)

sudip/-