

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7020 of 2015

Arising Out of PS.Case No. -461 Year- 2014 Thana -GAYA MUFFSIL District- GAYA

1. Jaiky Yadav Son of Niranjan Yadav resident of village - Pachmo, P.S. Paraiya, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 13-04-2015 Heard both sides.

The petitioner seeks bail in a case under sections 366-A, 376 and 34 of the Indian Penal Code.

The informant alleged that the petitioner along with two other persons forcibly kidnapped her on a motorcycle, and they all committed rape with her one by one, after confining her in a dilapidated house.

Learned counsel for the petitioner submits that the informant made her statement under section 164 Cr.P.C. on 29-9-2014, but she did not disclose that the petitioner committed rape

with her. She has contradicted her statement.

On perusal of the record, it appears that the victim has made statement that the petitioner and others kidnapped and committed rape on her one by one. It is a gang rape. Even if there is slight contradiction in the statement of the victim, I am not inclined to enlarge the petitioner on bail, as the victim appears to be minor.

Accordingly, the prayer for bail is rejected.

(Prabhat Kumar Jha, J)

B.Roy/-

U			
---	--	--	--