

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33922 of 2013

Arising Out of PS.Case No. -46 Year- 2013 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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Santosh Ram, S/O Shivpujan Ram, Resident Of Village- Chorghatiya, P.S-
Bhagwanpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. T.N.Thakur(APP)

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CORAM: HONOURABLE THE CHIEF JUSTICE
ORAL ORDER

3 09-04-2015

The petitioner is alleged to have committed the offence punishable under Section 376 I.P.C. in connection with Bhagwanpur P.S. Case No.46 of 2013, pending in the court of the Chief Judicial Magistrate, Kaimur at Bhabua.

The petitioner was arrested on 10.5.2013. He filed B.P. No.280/79 of 2013 in the court of Ad hoc Additional Sessions Judge-5, Kaimur at Bhabua. The same was rejected on 4.7.2013. Hence, this application.

Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

The allegation against the petitioner is serious in nature. He is said to have committed the rape on a mentally retarded minor girl.

The truth or otherwise of the allegations made in the F.I.R. needs to be considered at the trial. At this stage, this Court is not inclined to release the petitioner on bail. The application is, thus, dismissed.

However, if the trial has commenced and there is substantial progress in the case and witnesses have been examined, the petitioner may move the trial court for bail.

(L. Narasimha Reddy,CJ)

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