

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21845 of 2015

Arising Out of PS.Case No. -19 Year- 2015 Thana -KORHA District- KATIHAR

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Md. Siraj Son of late Amoli Shah resident of Village Nakkipur Simariya ,
Karmu Tola, Police station , Korhi, District Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mrs. Gulnar Begum (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-09-2015

Heard both sides

The petitioner seeks bail in a case under Section
376D of the Indian Penal Code.

The victim, a widow, alleged that while she was
sleeping in her room along with her children, the petitioner along
with Sahabuddin @ Panchu entered into her room and they
committed rape with her one by one. It is submitted that prior to
lodging of this case, the villagers filed a petition before the
Superintendent of Police making allegation that the victim is
running a brothel. The doctor did not find any sign of rape, but
from perusal of the record, it appears that the victim herself made
very specific allegation against the petitioner and the co-accused
that they committed rape with her one by one. The victim is a
widow and the children of the victim supported the case.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail in Korha P.S. Case No. 19 of 2015. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt/production of a copy of this order.

(Prabhat Kumar Jha, J)

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