

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27694 of 2015**

Arising Out of PS.Case No. -60 Year- 2015 Thana -UJIYARPUR District-  
SAMASTIPUR

=====

Guddu Kumar Son of Uma Shankar Chaurasiya, Resident of Village -  
Chand Chour Barui Tola, P.S. - Ujiyarpur, District - Samastipur.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr. Kumar Virendra Narayan, APP

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**CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL**  
**ORAL ORDER**

2 05-08-2015

Learned counsel for the petitioner is permitted to make  
necessary correction in the first paragraph as well as prayer  
portion of the petition.

Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in Ujiyarpur P. S. Case No.  
60 of 2015 registered for the offence punishable under Section  
366(A) of IPC.

It is submitted that the petitioner is innocent and has  
not committed any offence and has been falsely implicated in this  
case due to enmity. The victim has made statement under Section  
164 Cr.P.C. and has narrated a different story. The medical report  
also does not show any sign of rape. There is contradiction

between FIR and the statement of the victim. The victim is major and the doctor has estimated her age between 17 ½ years and 18 years

Learned counsel for the State submits that the victim has been examined and she has made statement under Section 164 Cr.P.C. She has specifically stated that the petitioner has enticed away and has also committed rape upon her. The date of birth of the victim is 4.8.1999. It means that the victim was below 18 years. Learned Magistrate has estimated the age of the victim as 15 years.

Considering the facts and circumstances, in my opinion, the petitioner does not deserve bail at this stage. His prayer for bail is rejected.

**(Amaresh Kumar Lal, J)**

Kanchan/-

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