

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42202 of 2014

Arising Out of PS.Case No. -32 Year- 2014 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Kapil Rajbanshi Son of Late Prakash Rajbanshi Resident of Village -
Dhamar, P.S. Rajgir, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ashok Kr.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-02-2015

Heard both sides.

The petitioner seeks bail in Rajgir P.S. Case No.
32 of 2014 registered under sections 363/366(A) of the Indian
Penal Code.

The petitioner is alleged to have kidnapped the
victim. The victim also made her statement under section 164
Cr.,P.C. and she disclosed that the petitioner committed rape with
her.

Learned counsel for the petitioner submits that
the victim is not a minor girl and the doctor has not found any sign
of rape. On perusal of the record it appears that the doctor found
that the victim was habitual to intercourse. The victim was 16-17

years of age. The victim has made very specific allegation that petitioner during her captivity committed rape.

Considering the aforesaid facts, I am not inclined to grant bail to the petitioner. The same is rejected. The petitioner may renew his prayer for bail after nine months if the trial is not concluded.

(Prabhat Kumar Jha, J)

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