

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44378 of 2014

Arising Out of PS.Case No. -7 Year- 2014 Thana -ADHAURA District- BHABHUA (KAIMUR)

Sarvjeet Ram Son of Rajbali Ram Resident of Village - Chainpura, P.S. -
Adhaura, Distt. - Kaimur (Bhabua)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Kumar Sunil, Adv.

For the Opposite Party/s : Mr. A.L.Pandit, APP

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 03-03-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 366-A, 372, 376(G), 313/34 of
IPC.

Allegation against the petitioner is to have kidnapped
the victim with the help of other accused, thereafter, the victim has
been taken to another place and rape has been committed.

Learned counsel for the petitioner submits that the
petitioner is innocent and the doctor has not found any sign of
rape. Charge-sheet has already been submitted and there is no
chance of tampering with the evidence.

It is also submitted that occurrence has taken place

between 15.11.2013 to 27.1.2014 and the complaint case has been lodged by the victim on 31.1.2014 after much delay.

Learned counsel for the State submits that there is specific allegation of overtact against the petitioner. He at the point of firearm kidnapped the victim with the aid of other accused and has continuously raped her. After investigation charge-sheet has already been submitted and the trial is going on.

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

(Amaresh Kumar Lal, J)

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