

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15590 of 2015

Arising Out of PS.Case No. -118 Year- 2014 Thana -MANER District- PATNA

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Chandan Kumar @ Chandan Singh. son of late Kapildeo Singh resident of
Village Narhana P.S. Maner District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Abinash Chndra Jha

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 24-11-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Sections 376/34 of the Indian Penal Code.

The victim made a specific allegation that the
petitioner and Vikash Kumar put her on the ground and committed
rape with her. Learned counsel for the petitioner submits that there
was a fighting between two groups - one belonged to Scheduled
Castes and another to Forward Class. No such occurrence ever
took place. The doctor did not find any sign of rape. The petitioner
is a handicapped.

It appears that the victim made a very specific
allegation that the petitioner and Vikash Kumar committed gang
rape with her. The victim gave her statement on 31.03.2014 but
she was examined on 02.04.2014 after lapse of more than 48

hours, the doctor did not find any spermatozoa or injury on her person. The witnesses have supported the case of the prosecutrix.

Having considered the fact that the petitioner is alleged to have committed gang rape with the informant, I am not inclined to enlarge the petitioner on anticipatory bail in Maner P.S. Case No. 118/2014. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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