

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17751 of 2015

Arising Out of PS.Case No. -426 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

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1. Pramod Rai S/o Kalpu Rai resident of Village- Fular, P.s- Motipur,
district- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(SPL.APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 15-05-2015 Heard learned counsel for the petitioner as well as

learned APP for the State.

On the trivial issue, it has been alleged that on the
alleged date and time of occurrence, while the informant/victim
had gone to meet nature's call, she was raped by the petitioner and
then was brutally assaulted with Chhura on different parts of her
body including that of her private part.

From the order impugned, it is apparent that doctor had
found grievous sharp cut injury over her left thigh 5" long as well
as over her right knee 3" long, though there happens to be absence
of spermatozoa.

Learned counsel for the petitioner submits that he has
been falsely implicated at the instance of his enemies with whom
there happens to be land dispute. Furthermore, in absence of

spermatozoa, it could not be said that she was raped. Apart from this, petitioner happens to be under custody since 18.12.2014.

Learned APP opposed the prayer.

Taking into account the allegation on its face, I do not see it a fit case for grant of bail. Prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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