

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9705 of 2015

Arising Out of PS.Case No. -85 Year- 2014 Thana -BALIGAON District- VAISHALI(HAJIPUR)

Raj Balam Ram, Son of Ruplal Ram, Resident of Village-Habibpur, P.S.-
Baligaon, District-Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Anuradha Singh(App)

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 23-04-2015 Heard the learned counsel for the petitioner, the State
and the informant.

The petitioner seeks bail in Baligaon P.S. Case
No.85 of 2014 registered for the offence punishable under
Section 376 (G) of the Indian Penal Code.

The allegation against the accused including the
petitioner is to have committed the gang rape of the prosecutrix.

It is submitted that there is inordinate delay in
lodging the FIR and after lodging the FIR, the prosecutrix was
examined by the doctor, who has not found any sign of rape.

The submission of other side is that it is natural that
no sign of rape was found as the occurrence had taken place on
6.09.2014 and the prosecutrix was examined by the doctor on

19.09.2014. Since the prosecutrix was in the state of horror, she lodged the case when her husband came to his house from Delhi and the case has been lodged on 18.09.2014. There is specific allegation of rape against the petitioner in a barren place.

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

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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