

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25771 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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1. Satish Kumar son of Rameshwar @ Rameshwar Thakur resident of
village- Shekhi Chakia, P.S.- Chakia, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. S.M. Rahman (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2015

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in Chakia
P.S. Case No. 29 of 2015 registered under section 376 of the
Indian Penal Code.

According to the first information report the
informant on 22.02.2015 at about 11 A.M. went to cut grass in a
brit/Sarah. At that time the accused petitioner arrived there and
told her, why she has cut the grass on the ridge of his field. Then
she left cutting grass and went towards NAREGA and started
cutting grass but the accused Satish Kumar also arrived there
behind her by his bicycle and having found her at a lonely place,
caught hold of her and after pressing her mouth, flat her down on

the found and after tearing Dori of her Paijama, forcibly made physical contact with her. On her shout, Shahida Khatoon one Bachani Devi rushed there. The petitioner tried to flee away by bicycle but both the persons caught his bicycle and the petitioner leaving his cycle fled away.

It has been submitted on behalf of the petitioner that no medical examination has been made. Further it has been submitted that petitioner has been falsely been implicated in the case.

It is submitted on behalf of the state there is specific allegation against the petitioner of committing rape on the victim.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail. The same is rejected. However, if the petitioner surrenders within four weeks, the court below shall consider the case of the petitioner and pass order in accordance with law on its own merit without being prejudiced by the order of this court.

(Sudhir Singh, J)

M.Rahman/-

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