

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49201 of 2014

Arising Out of PS.Case No. -414 Year- 2014 Thana -KADAMKUAN District- PATNA

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Pramod Kumar Singh Kamal, Son of Late Haribansh Singh, Resident of
village - Kudara P.S. Kudara, District Kaimur (Bhabhua).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal (App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

7 17-07-2015 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks bail in Kadamkuan P.S. Case
No.414/2014 registered for the offence punishable under Section 376
of the Indian Penal Code.

The allegation is that the petitioner called the prosecutrix
at his residence and offered tea containing intoxicant.
Thereafter, he committed rape to her and gave threatening to her that
if she disclosed this occurrence to any one, she would be killed. The
petitioner also stated to her that he had also prepared a video of this
occurrence and if she would say to any one then that video would be
uploaded on the Net and he will also pour acid on her face.

It is submitted that the alleged occurrence has taken
place on 15.09.2014, whereas, the written report has been submitted

to the Officer-in-charge of Kadamkuan police station on 19.09.2014 and there is no explanation for the delay. The petitioner and the prosecutrix are the employees of the same Nehru Yuva Kendra Sangathan. It is also submitted that the doctor has not found any sign of rape. The petitioner is in custody since 20.09.2014 having no criminal antecedent.

The learned counsel for the State submits that there is specific allegation of overt act against the petitioner. After investigation, the case has been found true and charge sheet has already been submitted. The case has been committed to the Court of Sessions on 2.07.2015, as it appears from the report of the learned Chief Judicial Magistrate, Patna.

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

Let the trial be expedited.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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