

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.489 of 2015

Arising Out of PS.Case No. -202 Year- 2014 Thana -MAHILA P.S. District- SIWAN

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1. Santosh Kumar Srivastava Son of Pashupati Lal Srivastava resident of
village - Chhitauli, P.S. Majhagarh, District - Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 13-04-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner happens to be own cousin brother of
the informant, who was allegedly subjected to gang rape by the
petitioner and other accused.

The submission on behalf of the petitioner is that the
marriage of one, Anshu Kumari had taken place with co-accused,
Munna Srivastava but dispute arose between Anshu Kumari and
Munna Srivastava. The informant happens to be sister of aforesaid
Munna Srivastava and in retaliation to the aforesaid dispute; she
lodged this false case and implicated not only the petitioner but
two others also. It is further contended by him that the medical
report of the informant also does not corroborate the allegation.

From perusal of paragraph-63 of the case diary, I find that at the time of medical examination, several bruises and abrasions were found on the person of the informant and she has supported the allegation in her statement recorded under Section-164 of the Cr. P.C.

Therefore, I am not inclined to extend the privilege of bail to the petitioner and, accordingly, his prayer for bail in connection with Siwan Mahila P.S. Case No. 202 of 2014 pending in the court of learned Chief Judicial Magistrate, Siwan stands rejected.

(Hemant Kumar Srivastava, J)

A.K.V./-

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