

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17502 of 2015

Arising Out of PS.Case No. -173 Year- 2014 Thana -NAUHATTA District- SAHARSA

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1. Bijli Yadav @ Kamlesh Yadav Son of Anandi Yadav, Resident of
Village - Murli, Police Station Nawhatta (Darhar O.P.), District - Saharsa.
.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Shailendra Kumar-Ii(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 17-09-2015

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

There is allegation of rape against the petitioner but learned counsel for the petitioner submits that the prosecution case appears to be doubtful as in *fardbeyan* the informant has stated that this petitioner committed rape whereas in her statement under Section 164 Cr. P.C., she stated that three persons including the petitioner committed rape.

Considering the nature of allegation levelled against the petitioner, I am not inclined to grant privilege of bail to this petitioner and his prayer for bail in connection with Nawhatta P.S. Case No. 173 of 2014 pending in the court of learned Additional Sessions Judge, 1st -cum-Special Judge, Saharsa stands rejected.

(Hemant Kumar Srivastava, J)

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