

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48353 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -MAHILA PS District- DARBHANGA

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Ram Kumar Sah @ Ram Kumar son of Fakira Sah, resident of village-
Khirma, Police Station-Keoti and District-Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 21-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Mahila
P.S. Case No. 30 of 2015 registered for the offences punishable
under Sections under Sections 376(G) of the I.P.C. and section
3(2)(v) of the SC/ST (Prevention of Atrocities) Act.

Allegedly, the petitioner and co-accused committed
gang rape with the informant after bringing her in a room situated
at petrol pump and in the morning police came and arrested the
petitioner.

Submission is of false implication and that
prosecution story appears not probable and reliable, medical
evidence does not support the prosecution version as no injury was
found and further no spermatozoa alive or dead has been found.

The victim is about 30-35 years and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has committed heinous crime.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, this court is not inclined to enlarge the petitioner on bail accordingly, his prayer stands rejected.

(Jitendra Mohan Sharma, J)

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