

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44671 of 2014

Arising Out of PS.Case No. -372 Year- 2013 Thana -PUPRI District- SITAMARHI
=====

Ram Chhabila Chaudhary @ Chhabila Chaudhary
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh
For the Opposite Party/s : Mr. S.M.Rahman-(A.P.P.)
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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 08-04-2015 Heard learned counsel for the petitioner as well as learned
Additional Public Prosecutor.

A widow aged about 70 years became victim of undesired
carnal desires at the end of petitioner.

Submission on behalf of petitioner is solely based upon
medical report wherefrom the case of rape has not conclusively been opined.
So, submitted that it is a fit case for grant of anticipatory bail.

On the other hand, learned Additional Public Prosecutor
opposed the prayer and submitted that neither the petitioner pleaded on his
own nor during course of investigation, the I.O. collected any ground for false
implication. Moreover, petitioner has been identified to be sole rapist and on
account thereof, the opinion of the medical examination will play no positive
role for the present.

Accordingly, prayer of petitioner for anticipatory bail is
rejected.

(Aditya Kumar Trivedi, J)

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