

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26613 of 2015

Arising Out of PS.Case No. -136 Year- 2014 Thana -NOKHA District- SASARAM (ROHTAS)

1. Munna Choudhary S/o Jitendra Choudhary, resident of Village- Gudeyai
Ratanpura, P.S.- Nokha, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sangita Sharma (App)

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

4 02-11-2015 Heard learned Sr. Counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with Nokha
P.S. Case No. 136 of 2014 registered for the offence punishable
under Sections 376/34 of the Indian Penal Code.

Allegedly, the petitioner committed rape with the
informant when she was sleeping on the roof of her house alone.

Submission is of false implication and that it is not
probable that the informant will sleep in her house without closing
the door. There is land dispute with respect to purchase of some
land, in medical report of the victim no sign of external or internal
injury on her body has been found that negates the entire

prosecution story. In medical report it is mentioned that the petitioner broke the door but the Investigating Officer has not found such breaking of door and as such the petitioner deserves sympathetic consideration to which learned APP opposes.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature and further noticing that the witnesses have supported the allegation, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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