

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54052 of 2015

Arising Out of PS.Case No. -252 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

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1. Wasim Ansari Son of Md. Shamim Ansari, resident of village- Teugna
P.S.- Simri, District- Darbhanga Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Upendra Kumar Singh, Adv.

For the Opposite Party : Mr. C.Sen Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL ORDER

3 11-02-2016

Heard the learned counsel for the petitioner and the State.

This is a petition for grant of regular bail for offence under Sections 366A and 376 of the Penal Code and 4 of the Protection of Children from Sexual Offences Act.

There is allegation of rape after kidnapping on motorcycle and keeping the victim in the room at Muzaffarpur. The learned counsel for the petitioner submits that there is allegation of rape on 21.07.2015, the statement recorded on 28.07.2015, medical examination held on 29.07.2015 and no external injury found and age has been assessed as 17 to 18 years. The great emphasis has been made on the report of the doctor that she was not pregnant and there is no evidence to suggest the commission of recent intercourse, with or without her consent.

Having regard to the facts and circumstances of the case, I am not inclined to grant bail to the petitioner at this stage.

The prayer for bail is **rejected**.

(Gopal Prasad, J)

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