

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54238 of 2015

Arising Out of PS.Case No. -79 Year- 2014 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

=====

Surendra Sah, S/o Sipahi Sah Resident of village- Baishakhwa, P.S.-
Darpa, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ajay Kumar Singh
For the State : Mr. Bhanu Pratap Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

4 23-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has been arrested in connection with Darpa
P.S. Case No. 79 of 2014 G.R. No. 808 of 2014 registered under
Sections 366A, 376 and 120B of the Indian Penal Code.

Learned counsel for the petitioner submits that there is
delay in lodging the F.I.R and it has been lodged after one month
from the date of occurrence. It is further asserted that there is no
mention regarding rape in the F.I.R and in further statement of the
victim. It is further submitted that statement of the victim
recorded after five months from the date of occurrence in which
she also levelled allegation of rape against the petitioner, but no
such statement of the victim was recorded before the police.

Having regard to the facts and circumstances of the case, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected at this stage.

m.p.

(Gopal Prasad, J)

U		T	
---	--	---	--

