

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46448 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -MAHILA P.S. District- MUZAFFARPUR

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Vikash Kumar Chaudhary @ Vijay Chaudhary Son of Radhe Shyam Chaudhary, resident of Village- Mohammadpur Patahi, Police Station- Sadar, District- Muzaffarpur.

.... Petitioner.

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suraj Prasad Singh, Sr. Adv.
Mr. Manoj Kumar

For the State : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

4 16-12-2016 Supplementary affidavit is filed on behalf of the petitioner.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under Sections-376, 377 of the Indian Penal Code.

There is specific allegation against the petitioner that he, not only committed rape but also, unnatural offence upon the informant.

Submission on behalf of petitioner is that the medical evidence does not support the allegation nor any witness stated about the above-said occurrence. It is further submitted that



however, in course of investigation, the victim changed her statement. It is also pointed out that police after due investigation, submitted final form finding the accusation untrue but the learned court below took cognizance for the offences.

Regard being had to the facts and circumstances of the case as well as submission of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Mahila P.S. Case No. 100 of 2016 stands rejected.

(Hemant Kumar Srivastava, J)

A.K.V./-

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