

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4043 of 2016

Arising Out of PS.Case No. -70 Year- 2015 Thana -SAKATPUR District- DARBHANGA

1. Surendra Singh Son of Madhuri Singh, Resident of Vill. - Narayan Pur,
P.S. - Sakatpur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. B.Ram(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 26-02-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

There is specific allegation of rape against the petitioner and in course of investigation, when the statement of victim was recorded at paragraph-54 of the case diary, she supported about the story of rape.

Learned counsel for the petitioner submits that there is delay in lodging the FIR and in medical report, nothing was found and moreover, the victim has herself admitted that she had illicit relationship with one Mahesh Sah and she was found pregnant by the Medical Board. Even if, it assumed that the victim was earlier ravished by Mahesh Sah, then also, it does not make any difference because the victim, specifically, stated that it was the

petitioner, who committed rape upon her on the alleged date of occurrence.

Therefore, considering the aforesaid facts and circumstances 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 Sakatpur P.S. Case No. 70 of 2015 pending in the court of learned Additional District & Sessions Judge-Ist-cum-Special Judge (POSCO Act), Darbhabga stands rejected.

A.K.V./-

(Hemant Kumar Srivastava, J)

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