

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39637 of 2016

Arising Out of PS.Case No. -342 Year- 2013 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Pappu Pandey S/o Banaras Pandey, resident of village- Sahebbigha, P.S.-
Deo, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 06-10-2016 Heard both sides.

The petitioner apprehends his arrest in Aurangabad
(Town) P.S. Case No. 342/2013, registered for the offences
punishable under Sections 376 and 34 of the Indian Penal Code.

The victim made allegation that while she was coming
from her college, the petitioner and other accused persons forcibly
took her at a lonely place and Avinash Pandey, Bhutani Pandey
and Chhotu Pandey committed rape with her and the petitioner
also assisted them and recorded the incident.

Learned counsel for the petitioner submits that the
victim stated in her statement recorded under Section 164 of the
Cr.P.C. that the occurrence took place on 27.07.2013, the S.P. put

his signature on 27.06.2013 but the FIR was lodged on 27.07.2013.

It appears that there is slip of pen. The victim has made allegation that on 27.07.2013 the occurrence took place. There is specific allegation against the petitioner also that he took part in kidnapping of the victim and assisting all the accused persons while they were committing rape of the victim.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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