

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49458 of 2015

Arising Out of PS.Case No. -672 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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1. Arvind Kumar @ Arbind Kumar Son of Arun Shani @Arun kr. Sahani
R/o Village- Vijay Chapra, P/s Ahiyapur and District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Ajay Kumar No.1(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 03-02-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 376/34 of the I.P.C

Allegedly, the petitioner and other co-accused forcibly
took away the minor informant from her house and the petitioner
thereafter committed rape four times with the informant.

Submission is of false implication, both the parties are
the land brokers and the dispute arose between them in course of
business resulting altercation and assault and thereafter the father
of the informant got lodged this case, however, now the dispute
has been settled and the informant and her parents have
compromised the case and the compromise petition has also

been filed vide Annexure- 3 series, the doctor has not found any injury on her body or on her private part and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Ahiyapur P.S. Case No. 672 of 2015 pending in the court of C.J.M. Muzaffarpur.

However, the petitioner may renew his prayer for bail after examination of the informant and her father during trial.

(Jitendra Mohan Sharma, J)

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