

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8112 of 2017

Arising Out of PS.Case No. -177 Year- 2016 Thana -SAHPUR District- BHOJPUR

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1. Rahul Singh @ Ashok Singh, son of Sri Nagendra Singh, resident of
Village- Sarna, P.S.- Shahpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 03-04-2017

Heard learned counsel for the Petitioner and the
State.

Petitioner seeks bail in Shahpur P.S. Case No.177 of
2016 instituted under Section(s) 376, 506, 379/34 Indian Penal
Code and Section 4 of the Protection of Children from sexual
offences Act pending before the Additional Sessions Judge, 1st,
Bhojpur at Ara.

As per written report, petitioner committed rape with
the informant after removing her clothes and tying her mouth.

The victim girl in her statement under Section 164
Cr. P. C. has supported the case and alleged that the petitioner
committed rape with her at the point of knife.

Counsel for the petitioner has submitted that there is
variation in the statement of the victim girl given in 164 Cr. P. C.
statement and the statement made by her in the First Information
Report. There is also delay in lodging the First Information Report



as the occurrence has taken place on 07.07.2016 and the First Information Report has been lodged on 09.07.2016. The doctor has not found any sign of rape during medical examination.

The learned APP has submitted that independent witnesses in para 54, 55, 56 have supported the case of the informant. The informant in her further statement in para 2 has supported the case. Learned APP has further submitted that a *Panchayati* was held and, therefore, delay took place in lodging the First Information Report, which is apparent from para 56 of the case diary.

In such circumstances, since there is specific allegation against the petitioner, this Court is not inclined to grant bail to him.

Prayer for bail is **rejected**.

The Trial Court is directed to expedite the trial.

(Sanjay Priya, J)

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