

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32012 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -BIHPUR District- BHAGALPUR

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Md. Saddam Son of Azim, Resident of Village- Bihpur, Police Station-
Bihpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh

For the Opposite Party/s : Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-08-2017 This application is for grant of regular bail in

connection with Bihpur P.S. Case No. 119 of 2017 registered for

the offence under section 376/34 of the Indian Penal Code.

Allegation against the petitioner is of commission of

rape upon the victim.

Submission of the learned counsel for the petitioner

is that in the statement recorded under section 164 of the Criminal

Procedure Code, the victim girl has not stated about the

commission of rape, rather she has stated that the petitioner has

attempted to commit rape upon her. Further submission is that the

petitioner is in custody for about 2 ½ months.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and



circumstances of the case, at this stage I am not inclined to grant bail to the petitioner. The petitioner may renew his prayer for bail once the informant is examined in the court below. The learned court below will consider the evidence of the informant and will pass an appropriate order.

Accordingly, this petition is dismissed.

(Vinod Kumar Sinha, J)

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