

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35451 of 2017

Arising Out of PS.Case No. -101 Year- 2016 Thana -KASBA District- PURNIA

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1. Rupesh Das @ Rupesh Kumar S/o Gopal Chandra Das Resident of
Village - Begambari, P.S. - Kasba, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anujit Sinha, Advocate

For the Opposite Party/s : Mr. Mustaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 01-09-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in Kasba P. S.
Case No. 101 of 2016 registered for the offence under
Sections 376/34 of the Indian Penal Code.

It is alleged in the written report, that the
petitioner was having sexual relationship with the younger
daughter of the informant and she became pregnant. The
father of the petitioner gave Rs. 5000/- to the victim girl to
get abortion. The case diary has been received. The victim
girl in her statement under Section 164 Cr. P.C. as
mentioned in para-26 of the case diary has levelled specific
allegation against this petitioner of committing rape with her
on account of which she became pregnant.



Learned counsel for the petitioner has submitted that the occurrence had taken place on 01.09.2016 whereas F.I.R. has been lodged on 09.09.2016. The medical examination was done on 03.09.2016.

In view of specific allegation in the written report and the statement of the victim recorded under Section 164 Cr. P. C., this Court is not inclined to grant bail to the petitioner and his prayer is rejected at this stage.

Learned counsel for the petitioner is directed to renew his prayer for bail after six months, in the event no substantive progress is made in the case in Court below.

(Sanjay Priya, J)

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