

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49488 of 2016

Arising Out of PS.Case No. -45 Year- 2016 Thana -KORHA District- KATIHAR

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Shiva Hembram S/o Haridwar Hembram R/o Srikol, P.S. Korha, Distt
katihr.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 23-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Korha
P.S. Case No. 45 of 2016 registered under Sections 376 of the
Indian Penal Code.

Learned counsel for the petitioner submits that he has
falsely been implicated in the present due to village politics. The
medical report also does not corroborate the allegation of rape.

Learned A.P.P. appearing on behalf of the State
opposed the prayer of the petitioner with submission that there is
direct and specific allegation of rape against the petitioner. Also
the victim, in her statement under Sections 161 Cr.P.C and 164
Cr.P.C, has supported the allegation of rape.



Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

However, petitioner may renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

Prakash/-

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