

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17167 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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Kalender Ram @ Kalender Kumar, Son of Chandrashekhar Ram @ Chillar Ram, Resident of Village – Mahua, P.S. Ramgarh, District- Kaimur (Bhabhua).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-04-2017 The petitioner seeks regular bail in connection with Mahila (Bhabhua) P.S. Case No. 12 of 2017, registered for offences punishable under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of commission of rape on informant's wife.

It has been submitted on behalf of the petitioner that earlier only brother of the petitioner was named in the F.I.R and the petitioner was not named in the F.I.R. but later on the victim identified the petitioner in Test Identification Parade that he was also one of the persons who committed rape on her, however, the victim was examined by a Doctor and Doctor has not found any sign of rape. Petitioner has been in custody since 10.02.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that victim



girl herself has identified this petitioner in the Test Identification Parade as one of the persons, who committed rape on her, as such, I am not inclined to grant the petitioner, the privilege of regular bail, it is accordingly rejected.

However, trial court is directed to expedite the trial and try to conclude the same as early as possible.

(Vinod Kumar Sinha, J)

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