

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50215 of 2017

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Chandra Bhushan Kumar, S/o Strughan Rai, R/o Village- Pusa, P.S.- Pusa,
District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Kishanganj P.S.Case No. 148 of 2017 registered for the offences punishable under Sections 376, 376A, 420 and 379 of the Indian Penal Code.

Allegation against the petitioner is of committing rape upon the informant by taking her to Mughalsarai and thereafter she was taken to Samastipur and performed marriage with her and thereafter she was taken to Gaya and from there she managed to escape and filed the present case.

Submission of learned counsel for the petitioner is that this case is false and concocted and according to FIR she remained with the petitioner for five months and during that period she has not made any complaint or informed the police and further he is in



custody since 12.7.2017.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for bail stating that petitioner has committed rape and forcibly married her and further she was working under the petitioner and she was subjected to rape by the petitioner.

Having heard both sides and in view of facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. Hence, prayer for bail is rejected. However, once the victim is examined in course of trial, the petitioner shall be at liberty to move for bail, which will be considered on the materials available at that time.

(Vinod Kumar Sinha, J)

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