

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34234 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -MAHILA PS District- JEHANABAD

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1. Chandan Kumar Singh S/o Jay Narayan Singh resident of Village -
Kharoj, P.S. Kalpa (O.P.), District - Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioner as well as
learned APP.

Learned counsel for the petitioner has submitted that the prosecution version suffers from improbability as the occurrence is to said to be inside the house but, none of the family members of petitioner has been shown to be present there. At the other end, mother of the informant, whose house lies at a considerable distance, heard her cry, rushed to the place. Furthermore, It has also been submitted that the victim was not at all co-operative during course of medical examination, apart from the fact that the doctor had not found any sign of rape. The aforesaid examination was within 6 hours of the occurrence. So submitted that it is a fit case wherein petitioner should be released on bail.



Furthermore, it has also been submitted that on the same day the prosecution party indulged in criminal acts against the family members of the petitioner and for that on the Fard-e-beyan of the petitioner, Jehanabad PS Case No. 230/2017 was registered.

Learned APP opposed the prayer for bail.

There happens to be consistent version of the victim with regard to commission of rape by the petitioner and that being so, prayer for bail is rejected.

(Aditya Kumar Trivedi, J)

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