

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9954 of 2017

Arising Out of PS.Case No. -31 Year- 2016 Thana -MAHILA PS District- AURANGABAD

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Sanjay Paswan, S/o Gaya Paswan, Resident of Village- Sundarganj Mela,
P.S.- Risiup, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 03-04-2017 Heard both sides.

The petitioner seeks bail in Mahila P.S. Case No. 31/2016, registered for the offences punishable under Section 376 and other sections of the Indian Penal Code.

The informant/victim alleged that while she was waiting for a vehicle, the petitioner came on Scorpio vehicle and took her on the pretext of dropping her to the village, but the petitioner committed rape with her.

Learned counsel for the petitioner submits that the independent witnesses have not supported the facts that the petitioner committed rape with the victim. The doctor also not found any sign of rape.

It appears that the occurrence took place on



03.11.2016. The victim made specific allegation that the petitioner committed rape with her. The victim stated the same and similar allegation in her statement under Section 164 Cr.P.C. The victim was examined on 12.11.2016 by the doctor and naturally examination of the victim about 09 days after the occurrence, the doctor did not find any sign of rape on the person of the victim.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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