

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.1829 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -MAHILA PS District- JEHANABAD

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Chandan Kumar, Son of Sadhu Ram, resident of village - Dhangawan, P.S.
and District Jehanabad Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Mr. Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 20-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Jehanabad
(Mahila) P.S. Case No. 69 of 2016 registered for the offences
punishable under Sections 376/506 of the Indian Penal Code.

Allegedly, the petitioner committed rape forcibly at the
point of pistol with the informant and caused threats to kill her,
her husband and her two sons.

Submission is of false implication and that the informant
has lodged this case due to enmity, now good sense has prevailed
and the informant has filed compromise petition also and in
medical report no spermatozoa was found vide annexure-2.

Learned APP opposes the prayer of bail by submitting that
external injuries have been found on the person of the informant
and possibility of sexual violence cannot be ruled out.



In the facts and circumstances stated above, considering the allegation, at present, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the petitioner may renew his prayer for bail after examination of the victim/informant during trial.

(Jitendra Mohan Sharma, J)

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