

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67308 of 2018

Arising Out of PS. Case No.-103 Year-2016 Thana- SHAMBHUGANJ District- Banka

Subodh Sah @ Subodh Kumar Sah S/o Late Shiv Sah R/o-Aaraji Karshop
P.S.-Shambhuganj District-Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dinesh Kumar Gupta
For the Opposite Party/s : Mr. Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-11-2018 Earlier prayer for bail of the petitioner was rejected by this Court twice vide order dated 9.1.2017 passed in Cr.Misc.No. 54675 of 2016 and vide order dated 23.8.2017 passed in Cr.Misc.No. 36725 of 2017 and allegation against the petitioner is of committing rape upon the informant, who happened to be minor.

Submission of learned counsel for the petitioner is that till date not a single witness has been examined in this case and petitioner is in custody for the last two years and further Annexure-4 which is CDR location, shows that the victim girl was present at that time at Sultanganj and not at the place of occurrence and that falsifies the prosecution case. It is also submitted that medical report does not support the prosecution case.



Heard learned APP also, who has opposed the prayer
for bail.

Having heard both sides and in the facts and
circumstances, as stated above, I am not inclined to grant bail to
the petitioner.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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