

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59787 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -JADOPUR District- GOPALGANJ

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1. Sunny Kumar Giri @ Sani Kr. Giri S/o Shri Umesh Giri, R/o Village-
Jadopur Sukul P.S.- Jadopur, Sukul, District- Gopalganj (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Jadopur P.S. Case No.34 of 2017, a case under Sections 363/366A
of the Indian Penal Code, pending in the Court of learned
Additional Chief Judicial Magistrate-XIV, Gopalganj.

Allegation against the petitioner is that he ravished
to the minor daughter of the informant after kidnapping her. The
victim has supported the aforesaid allegation in the statement
under Section 164 Cr.P.C.

Learned counsel for the petitioner submits that the
police has not submitted charge sheet under Section 376 of the
Indian Penal Code. The allegation of commission of rape is not



corroborated by medical evidence or any other evidence. The petitioner is in custody since last six months. Investigation is complete now. There is no chance of absconding or tempering with the evidence.

Considering the statement of the victim girl as well as the settled principle of law that to seek for corroboration of the occurrence of rape would amount to insult of the womanhood, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial.

(Birendra Kumar, J)

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