

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75597 of 2018

Arising Out of PS. Case No.-17 Year-2016 Thana- JAMOBABAZAR District- Siwan

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Rahul Kumar Son of Late Bijay Chaudhary Resident of Village-Ramraj
More,P.S. Siwan Town,Distt.-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni

For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-02-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in Jamo Bazar P. S. Case
No. 17 of 2016 instituted for the offence under Section
366(A)/34 of the Indian Penal Code.

In the written report, it is alleged that on the date of
occurrence this petitioner along with other accused persons
surrounded the daughter of informant near Paltu Hatta while she
was coming from Siwan by bus. They started assaulting the
daughter of informant. Thereafter, daughter of informant did
not return to house.

Case diary has been received, wherein, the statement
of victim girl recorded U/s 164 Cr. P. C. is available at
paragraph no. 77 of the case diary. The same is also annexed



with the bail petition as Annexure-2, wherein, it has come that the victim girl has been recovered from Jalandhar.

In the statement recorded U/s 164 Cr.P.C., the victim girl has levelled specific allegation against this petitioner and other accused persons of kidnapping and taking her to Jalandhar and confining her in a room for about one month and committing rape with her. They also assaulted her, on account of which she became hard hearing and also sustained injuries. She also became pregnant on account of rape being committed by the petitioner and other accused persons.

The Medical report of the victim girl is available at paragraph no. 80 of the case diary which shows that victim was found pregnant.

Learned counsel for petitioner submits that one of the co -accused of this case has already been granted regular bail by co-ordinate Bench of this Court by order dated 6.11.2017 passed in Cr. Misc. no. 39791 of 2017.

From perusal of the aforesaid order, this Court finds that all these facts have not been brought to the notice of the Court at the time of hearing of bail petition. The victim has levelled serious allegation against the petitioner in the statement U/s 164 Cr.P.C. Therefore, this Court is not inclined to grant bail



to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

Trial Court is directed to expedite the trial.

(Sanjay Priya, J)

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