

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 48037 of 2019

Arising Out of PS. Case No.-106 Year-2019 Thana- GAYA MUFASIL District- Gaya

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BUGESH SINGH @ BAGISH PRASAD Son of Ramashish Prasad Resident
of Village - Sohaipur, P.S.- Muffasil, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh
For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-09-2019 Heard both sides.

The petitioner apprehends his arrest in Muffasil P.S.

Case No.106 of 2019 registered under Section 376D of the

Indian Penal Code.

The victim named the petitioner and alleged that

while she had gone to ease out, the petitioner and others forcibly

committed gangrape. On raising alarm, her husband and son

came and took her to police station for institution of the case.

The learned counsel for the petitioner submits that the

victim made her statement under Section 164 Cr.P.C. but she did

not disclose that she was raped. She disclosed that she became

unconscious and thereafter she could not know what happened

with her. It is submitted that informant is the man of Kailash

Chaudhary with whom the petitioner has got land dispute but it



appears that there is no document that the informant and her husband are man of Kailash Chaudhary. The victim alleged that she was gang raped. The victim also stated in her statement under Section 164 Cr.P.C. that she became unconscious thereafter what happened she could not know.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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