

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16389 of 2020

Arising Out of PS. Case No.-379 Year-2019 Thana- KADAMKUAN District- Patna

1. Chhotu, aged about 24 years, Male, Son of Yogendra Ram, Resident of Mohalla- Ambedkar Colony, P.S.- Kadamkuan, District- Patna.
2. Ranjeet Kumar, aged about 25 years, Male, Son of Raj Kumar @ Raj Kumar Das, Resident of Mohalla East Lohanipur, P.S. Kadamkuan, District Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 04-09-2020 Learned counsel for the petitioners seeks permission to withdraw the bail petition of Ranjeet Kumar, petitioner no.2, as No Objection Certificate has already been obtained from him.

In this view of the fact, the prayer for regular bail of Ranjeet Kumar, petitioner no.2, is dismissed as not pressed.

Heard both sides.

The sole petitioner, Chhotu seeks bail in Kadamkuan P.S. Case No.379 of 2019, registered under Sections 376(D) and 34 of the Indian Penal Code.

The informant alleged that she came to Patna without informing her family members as her family members wanted to send her to her Sasural. She came near Dinkar Golambar in



search of a room for herself, but during the search, one Deepak came across. She further alleged that two boys came on a motorcycle and they took them to a dark place where both the boys committed rape with her one by one. One Ranjeet Kumar was apprehended and he disclosed the name of petitioner, Chhotu, who managed to flee away after committing rape.

Learned counsel for the petitioner submits that the petitioner is innocent and he has in fact committed no offence. He has got enmity with Deepak and that is why he has been implicated in the case. It is further submitted that the doctor did not find any external or internal injury on the body of the victim, but it appears that the victim has categorically stated that the petitioner, Chhotu and Ranjeet Kumar committed rape with her one by one and thereafter the petitioner, Chhotu managed to flee away. During the course of investigation, the witnesses have also reiterated the same facts.

Taking into consideration the facts and nature of allegation made against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within nine months from the



date of receipt of this order.

If the trial is not concluded within nine months, the
petitioner, if so advised, may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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