

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24136 of 2020

Arising Out of PS. Case No.-598 Year-2019 Thana- MINAPUR District- Muzaffarpur

DHARMENDRA SAHANI S/o Phakira Sahani Resident of Village- Konama
Chhiterpatti, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raju Kumar, Advocate
For the informant	:	Mr. Hari Kishore Thakur, A.P.P.
For the State	:	Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 11-11-2020 Heard Mr. Raju Kumar, learned counsel for the

petitioner, Mr. Hari Kishore Thakur, learned counsel for the

informant and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with
Meenapur P.S. Case No. 598 of 2019 registered for the offence
punishable under Section 376 D of the Indian Penal Code 1860
and Section 67A of I.T. Act.

The allegation against the petitioner as per the First
Information Report is that he along with other accused persons
committed rape upon the informant and also took photographs
of the incident and made it viral.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged



and there is no material against the petitioner in the present occurrence.

On the other hand, learned counsel for the informant submits that the statement of victim (informant) has been recorded under Section 164 Cr. P.C. wherein she has categorically stated that the petitioner along with other co-accused persons committed rape upon her and the photograph of the incident has also been taken and has been made viral.

Having heard learned counsel for the parties and taking into consideration the materials on record, the fact that there is specific allegation of committing rape against the petitioner and the statement of the victim (informant) has been recorded under Section 164 Cr. P.C., in which she has supported the prosecution story, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the petitioner may renew his prayer for bail after one year if the trial does not show any progress.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

