

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28367 of 2020

Arising Out of PS. Case No.-31 Year-2020 Thana- MAHILA P.S. District- Bhojpur

CHANDAN KUMAR S/O Ashok Yadav @ Ashok Kumar Singh Resident of
Village - Ishari Police Station - Ayar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Uday Kumar, Advocate
For the Opposite Party/s	:	Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-11-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Mahila P.S. Case No. 31
of 2020, registered for the offence punishable under Sections
376(d), 506 and 34 of the Indian Penal Code.

The informant alleged that on 30.01.2020 at 10.00 am,
when she had gone to attend the call of nature, this petitioner
along with other co-accused committed rape with her and also
made her vulgar video. The accused persons made her video
viral and the same video came on the mobile of her cousin



brother.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case due to previous enmity. FIR has been lodged after delay of three months, for which no plausible explanation has been given. Petitioner is in custody since 04.04.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that prosecution version is also supported by the victim girl in her statement under Section 164 Cr.P.C.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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