

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.19302 of 2021**

Arising Out of PS. Case No.-219 Year-2020 Thana- KARJA District- Muzaffarpur

SHIVA KUMAR, Son of Ramprit Sahni, Resident of Village - Karja, P.S.-  
Karja, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hari Kishore Thakur, Advocate.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      26-10-2021      Heard the parties.

The petitioner is languishing in custody for the offence punishable under Section 376D/506/34 of the Indian Penal Code.

The petitioner is one of the accused who were involved in commission of gang rape against the informant. The informant has supported the aforesaid allegation in her statement under Section 164 Cr.P.C. before the Magistrate.

Learned counsel for the petitioner submits that gang rape was allegedly committed on 12.08.2020, but the matter was not reported to the police and the matter was reported only after 22.08.2020 when one of the accused Lal Babu Kumar is alleged to have entered into the house of the informant and attempted to ravish her and on failure threatened to make the video of gang



rape viral. Therefore, the allegation appears to be doubtful.  
Petitioner is in custody since 27.08.2020. Petitioner has got no  
criminal antecedent.

Considering the nature of allegation against the  
petitioner, I am not inclined to enlarge him on bail in connection  
with Karja P.S. Case No. 219 of 2020.

Hence, prayer is refused.

Learned trial Judge is directed to expedite the trial.

**(Birendra Kumar, J)**

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