

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3092 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- ADAPUR District- East Champaran

1. AMIT KUMAR Son of Tarachandra Paswan Resident of Village - Beldarwa, Police Station - Adapur, District - East Champaran.
2. Parma Sah son of Mahendra Sah Resident of Village - Beldarwa, Police Station - Adapur, District - East Champaran.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-08-2021 Heard learned counsel for the appellants and the learned Special P. P.

The present appeal has been filed against order dated 26.02.2021 passed by learned Additional Sessions Judge-I-cum-Special Judge, SC/ ST Act, East Champaran, Motihari in Adapur PS Case No. 27/2021, registered for the offence punishable under Sections 376(D), 120(B), 34 of the Indian Penal Code, u/s 3(I)(x) of SC/ST Act and u/s 67 of the IT Act, whereby the prayer for bail of the appellants has been rejected.

As per the prosecution case, these petitioners along with other accused persons kidnapped the victim and committed rape upon her.



It is submitted that appellants have been falsely implicated in the case due to village politics and no such occurrence took place. The prosecution case is concocted by the enemy of the appellants and when the local people and well wishers condemn the false implication of the appellant and other accused persons, the informant filed compromise petition in the court below on 17.02.2021.

However, the learned Special P. P. opposes the prayer for bail and submits that this is a case of gang rape and there is specific allegation against the appellants of committing rape upon the victim.

Considering the nature of allegation and gravity of the offence, I am not inclined to enlarge the appellants on bail. Accordingly, this appeal is dismissed.

(Prabhat Kumar Singh, J)

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