

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2054 of 2021

Arising Out of PS. Case No.-298 Year-2020 Thana- MADHAURAH District- Saran

**DHUMAN KUMAR @ PRADUMAN S/o Shatrughan Raut R/o village-
Bikrampur, P.S.- Marhowrah, District- Saran**

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-05-2021

Heard the parties in virtual Court.

The petitioner is languishing in custody for the offence punishable under Section 376(D) of the Indian Penal Code and Section 67(A)(C) of the I.T. Act.

Allegation against the petitioner is that he was one who committed gang rape against the informant.

Learned counsel for the petitioner submits that the victim does not appear to be reliable as in the first information report, she stated that the petitioner had first ravished her, whereas in her statement under Section 164 Cr.P.C., she stated that first co-accused Manu Kumar had ravished her. Moreover, the prosecutrix is not corroborated by the medical evidence.

For aforesaid minor infirmity, the victim cannot be disbelieved at this stage. Hence, I am not inclined to enlarge the petitioner on bail in connection with Marhowrah P.S. Case No.



298 of 2020.

Hence, prayer is refused.

Since the petitioner is in custody since more than one year, learned trial Judge is directed to expedite the trial.

(Birendra Kumar, J)

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