

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60423 of 2025

Arising Out of PS. Case No.-144 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Rahul Kumar S/O Naresh Rai @ Naresh Ray R/O Village- Chaknoor, Police
Station- Samastipur Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. XXXX XXXX W/O Shiv Kumar Paswan R/O Village- Rahmatpur, P.S-
Samastipur Muffasil, Distt.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341 , 342, 323 , 376, 504
and 506 of IPC .

3 . As per the prosecution case , informant namely
Gita devi alleged that on 12.02.2023 at about 7 PM, when minor
daughter of informant went to attend nature's call, in the
meantime , all the F.I.R. named accused persons including this
petitioner forcibly got seated her on motorcycle and took her to
Rahmatpur Orchard where all the accused persons committed
gang rape upon daughter of informant (victim).



4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence as alleged. The victim is alleged to be gang raped but there is no sign of any sexual assault. During medical examination, doctor has opined the age of the victim between 17 years to 18 years.

5. Learned counsel for the State opposed the prayer for bail and submitted that there is specific allegation against the petitioner that he along with other co-accused persons committed rape upon her. The victim is minor, aged about 17 years and she in her statement recorded under Section 161 Cr. P C has supported the prosecution case.

6. Considering the nature of accusation and gravity of offence, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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