IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86309 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- ADAPUR District- East Champaran

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Sadam Dewan Son of Manjar Devan @ Mangar Dewan Resident of Village- Tarwa Tola Kachurwari, P.S.- Adapur (Harpur), District- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Kant Singh
For the Opposite Party/s : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 27-01-2025 Heard Mr. Krishna Kant Singh, learned counsel for the petitioner and Mr. Dilip Kumar No. 1, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 342, 376/34 of the IPC and Section 67 of the I.T. Act.

3. The allegation against the petitioner is that he committed rape with the victim and co-accused was making video of the said incident and subsequently the accused persons made the video viral.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that occurrence took place on 07.07.2023 but FIR has been lodged on 21.07.2023 after delay of 14 days. He submits that there is no eye witness of the occurrence. He

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submits that there is contradiction in the statement of the victim recorded under Section 164 of the Cr.P.C. and the FIR. He submits that the medical report has not supported the prosecution case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 07.09.2024.

5. Learned APP for the State opposes the prayer for bail and submits that the victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail is rejected in connection with Adapur (Harpur) P.S. Case No. 224 of 2023.

7. However, the petitioner is at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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