
(2006) 04 AHC CK 0226

In the Allahabad High Court

Case No : Criminal Misc. Bail Application No. 1122 of 2006

Satish (In Jail)

APPELLANT

Vs

State of U.P.

RESPONDENT

Date of Decision : 21-04-2006

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 161

Citation : (2006) 04 AHC CK 0226

Hon'ble Judges : G.P. Srivastava, J

Bench : Single Bench

Advocate : H.P. Singh, for the Appellant; A.G.A., for the Respondent

Final Decision : Dismissed

Judgement

G.P. Srivastva, J.—Heard learned Counsel for the applicant and learned A.G.A.

2. According to the prosecution case on 23.8.05 in the night at about 12.00 the applicant along with co-accused Bachan Singh entered into the house of the victim and co-accused Bachan Singh committed rape upon her. At that time the applicant caught hold the hands of the victim. The victim in her statement u/s 161 Cr.P.C. has stated that the applicant Satish Chandra is the brother of her mother-in-law who is living separately. When he entered into the house her husband was not there. Besides the statement of the victim there is the statement of the witnesses Nem Singh and Bhikham Singh who saw the accused persons running away from the house of the victim. The applicant is a relation and he misused his relationship. Instead of protecting the victim he helped the co-accused in committing rape upon the victim. It is immaterial that the mother-in-law of the victim tried to save her brother. There is no ground for bail. The bail application is rejected.