

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42143 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

=====

Anish Kumar Son of Madhu Prasad Resident of Village- Bhatahar ,p.s
Tharthari District Nalanda.

.... Petitioner/s

Versus

1The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Harendra Prasad(App)

=====

CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 13-10-2015 Heard the learned counsel for the petitioner. Heard the
learned A.P.P. also.

The petitioner, Anish Kumar, apprehends his arrest in
Mahila P.S. Case No.104 of 2015 registered for the offence
punishable under Sections 376, 511 and 448 of the IPC and
Section 3/12 of POCSO Act, 2012.

The allegation is that the petitioner tried to commit rape on
the informant aged about 12 years.

The learned counsel for the petitioner submitted that the
petitioner has been falsely implicated because of old enmity
between parents and it is not believable that the petitioner could
have entered into the house in presence of the relation of the

informant, i.e., uncle and Aunt.

On the other hand, the learned A.P.P. objected the prayer for anticipatory bail and submitted that the informant is 12 years of age and in her statement under 164 Cr.P.C. also supported the case of prosecution.

Considering the direct allegation against the petitioner that he attempted to commit rape on the informant, a minor girl aged about 12 years, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail is rejected.

(Mungeshwar Sahoo, J)

Sanjeev/-

U			
---	--	--	--