

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12905 of 2015

Arising Out of PS.Case No. -112 Year- 2014 Thana -PHULWARIA District- GOPALGANJ

1. Kunti Devi wife of Ram Nath Pal, Resident of village- Rajpur Khap,
P.S.- Fulwaria, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-05-2015

The petitioner is apprehending his arrest in connection with Fulwaria P.S.Case No. 112 of 2014 instituted under Sections 328, 363, 376, 379/34 of the Indian Penal Code, pending in the Court of learned Judicial Magistrate, Ist Class, Gopalganj.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that the petitioner called the informant and gave sweet to eat and when she taken it, she became unconscious. When she regained consciousness, she found her in a room at Ghaziabad with one jai Prakash Yadav @ Guddu Yadav. Thereafter, the said Jai Prakash Yadav forcibly committed rape on her by assaulting her and giving threatening.

It has been submitted on behalf of the petitioner

that the petitioner is innocent and she is a lady and has falsely been implicated in the present case.

On behalf of the State, it is submitted that the petitioner was the instrumental in getting the victim to Gaziabad where she was committed rape.

Considering the aforesaid facts, I am not inclined to grant privilege of anticipatory bail to the petitioner. The payer for anticipatory bail of the petitioner is rejected.

However, if the petitioner surrenders in the court below within six weeks and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order of rejection.

(Sudhir Singh, J)

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