

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28810 of 2015

Arising out of PS.Case No. -58 Year- 2015 Thana -GHANSHYAMPUR District- DARBHANGA

Md. Mintu, Son of Md. Zaheer, resident Village - Kumari, P.S. - Ghanshyampur, District - Darbhanga (Bihar).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vinay Kumar Mishra, Advocate.

For the Opposite Party : Mr. Manoj Kumar 1 (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-07-2015 The petitioner is apprehending his arrest in connection with Ghanshyampur P.S. Case No. 58 of 2015 for the offences instituted under Sections 376(G) and 379 of the IPC.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that on 02.04.2015 at 7.00 P. M., the informant was going to the postman for handing over Rs. 2000/- to her father at Kolkatta but on way this petitioner and another boy caught the informant and took her into a room where after tiding the hands and also naked her and this petitioner committed rape upon her. It is alleged that another boy also committed rape upon her and thereafter both fled away after snatching Rs. 2000/-.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. It is further submitted that the medical report do not support the allegation made in the F.I.R. It is further submitted that the petitioner has no criminal antecedent.

On behalf of the State it has been submitted that there is specific allegation of rape against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Ghanshyampur P.S. Case No. 58/2015, pending in the court of the learned C.J.M., Darbhanga. Anyhow, if the petitioner surrenders before the court below within a period of six weeks the same shall be considered on its own merit without being prejudiced by this order if possible, on the same day.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)