

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48896 of 2015

Arising Out of PS.Case No. -145 Year- 2015 Thana -MAUZAHDIPUR District- BHAGALPUR

Twinkal Yadav S/o Lalmani Yadav, Resident of Kutubganj, P.S. -
Mojahidpur, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Raj Kishor Singh (App)

CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under
sections 341, 323, 354A, 354B, 504/34 of the Indian Penal Code.

It is alleged that the petitioner came to the house of the
informant at 11.30 pm in the night stating that his sister was
suffering from labour pain, upon which the informant stated that
she would go to his house if his mother comes. Thereafter, the
petitioner forcibly lifted her and tried to even commit rape. It is
further alleged that nearby some more persons including the
petitioner's mother was also around in the place of occurrence.

The petitioner submits that it is improbable that he would
commit such act when his mother is around the place of
occurrence. The petitioner further submits that there is no denial

that his sister was not suffering from labour pain.

Prima facie I may agree with the submission of the petitioner that there is some exaggeration in the later part of the first information report. Nonetheless, in view of the allegations, I am not persuaded to grant anticipatory bail to the petitioner. However, if the petitioner surrender and pray for regular bail, the same would be disposed of on the same day without prejudice on its own merit and also taking into consideration the observation made above.

With the aforesaid observations, this application stands disposed of.

(Samarendra Pratap Singh, J)

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