

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28374 of 2015

Arising Out of PS.Case No. -727 Year- 2011 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Bipin Rajak Son of Chamru Rajak Resident of Village - Desari, P.S. -
Bibhutipur, District - Samastipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lalita Devi Wife of Rajiv Sah Resident of Village - Desari, P.S. -
Bibhutipur, District - Samastipur (Bihar).

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mrs. Asha Devi (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-10-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 376 of the Indian Penal Code.

The complainant alleged that the petitioner came to
her house and committed rape with her on the point of pistol but in
the meantime her mother-in-law came and caught the petitioner
but he managed to flee away. It is submitted that there is a land
dispute between the parties. The occurrence is said to have taken
place on 06.09.2011 but the complaint case was filed on
08.09.2011.

Learned counsel for the opposite party no. 2 as well
as learned A.P.P. opposed the prayer for anticipatory bail.

It appears that there is very specific allegation against

the petitioner that he committed rape with the prosecutrix.

Considering the fact aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Complaint Case No. 727/2011. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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