

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35382 of 2014

Arising Out of PS.Case No. -40 Year- 2011 Thana -Chanan District- LAKHISARAI

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1. Manu Kumar Ram @ Manish Kumar Son of Charitra Ram @ Chattan Singh Resident of village- Kundar, P.S.- Chanan, District- Lakhisarai

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jainendra Kumar

For the Opposite Party : Mr. Uday Chand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

6 06-07-2015 Heard both sides.

Petitioner apprehends his arrest in connection with Chanan P.S. case no. 40 of 2011 registered under Section 452,376 and 511 of the IPC.

The case was registered in 2011. His prayer for anticipatory bail application was rejected by the learned Sessions Judge on 20.9.2011 thereafter he again moved for anticipatory bail which was rejected by the learned sessions Judge under the impugned order. Aggrieved thereby the present application has been filed .

The prosecution case is that while the prosecutrix was sleeping along with her two minor children the petitioner entered into the house made her half naked and tried to commit

rape. Alarm was raised which attracted the witnesses whereafter he escaped.

Contention of the petitioner is that vide Annexure-2, petitioner had lodged a case against some of the witness of the case and in retaliation whereof the present case has been lodged.

Learned APP while opposing the prayer submits that petitioner can be treated as an absconder in the eye of law. The allegations are grave in nature. While the lady was alone he tried to molest her.

In my view, petitioner does not deserve the privilege of anticipatory bail. Prayer for bail is rejected.

Let the petitioner surrender and pray for regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit and pass appropriate order uninfluenced by the present order .

(Kishore Kumar Mandal, J)

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