

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26216 of 2015

Arising Out of PS.Case No. -115 Year- 2014 Thana -VIDYAPATINAGAR District- SAMASTIPUR  
=====

Akhilesh Kumar @ Aklesh Kumar, Son of Ram Bilash Jha, resident of  
Village - Badouna, P.S. Vidyapati Nagar, District - Samastipur.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate.  
For the Opposite Party : Mr. Durgesh Nandan(App)

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      17-07-2015      The petitioner is apprehending his arrest in connection with Vidyapati Nagar P.S. Case No. 115 of 2014 for the offences instituted under Sections 376/511, 447, 323 and 341 of the I.P.C. and 3 of the Prevention of Children from Sexual Offence Act.

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

The prosecution story, in brief, is that four years of the daughter of the informant, namely, Chandra Kumari, was playing out side the house in the meantime, the petitioner tried to rape with her. On hulla, he fled away. When the informant went the house of the petitioner to make a complain against him she was assaulted by the family members of the petitioner as a result of which, she sustained injuries on her head, chest and waist.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case due to dirty village politics. It is further submitted that the petitioner has got no criminal antecedent.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected in Vidyapati Nagar P.S. Case No. 115 of 2014, pending in the court of the learned Ist A.D.J.-cum-Special Judge, Samastipur. Anyhow, if the petitioner surrenders in the court below within a period of four weeks, the court below shall consider the case of the petitioner on its own merit without being prejudiced by this order.

**(Sudhir Singh, J)**

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