

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33513 of 2015

Arising Out of PS.Case No. -116 Year- 2014 Thana -RAJAUN District- BANKA

Pintu Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr. Atul Chandra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 31-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 376/511, 504 of the Indian Penal Code read with section 27 of the Arms Act.

It is alleged that while the informant went to ease out, the petitioner caught hold her and dragged towards a field to ravish her, when villagers chased the petitioner he resorted to fire and flee away from the scene.

It is submitted by learned counsel for the petitioner that on conclusion of investigation, final form was submitted under section 354 IPC but differing with the final form, the learned Magistrate took cognizance under sections 376/511 IPC.

It is further submitted that even assuming the accusation true, no offence under section 376/511 IPC is made out. Moreover, a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Rajoun P.S. Case No.116 of 2014, pending before the learned Chief Judicial Magistrate, Banka.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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