

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40568 of 2015

Arising Out of PS.Case No. -74 Year- 2014 Thana -FATEHPUR District- GAYA

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1. Awadhesh Prasad @ Chhattu Son of Rajo Mahato resident of village -
Kumbhiyatari, P.S. - Fatehpur, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh

For the Opposite Party/s : Mr. Mustaque Alam (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 05-10-2015

Heard both sides.

The petitioner apprehends arrest in a case registered for the offences punishable under sections 376-G of the Indian Penal Code.

The victim made specific allegation against the petitioner that he injected some psychotropic substance and she became senseless. Petitioner and two other accused persons, namely, Shravan Prasad Kushwaha and Sanju Prasad committed rape with her one by one.

It is submitted that after nine days of the occurrence, F.I.R. was lodged. A female member is also made accused in the case which shows falsity of the case

Having Considered the allegation made

against the petitioner that the petitioner after injecting psychotropic substance committed rape along with two other accused persons, I am not inclined to grant anticipatory bail to the petitioner in connection with Fatehpur P.S. case No. 74 of 2014 pending in the court of Shri P. K. Jha, Judicial Magistrate, 1st Class, Gaya. This application for grant of anticipatory bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

Amin/-

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