

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41638 of 2015

Arising Out of PS.Case No. -135 Year- 2015 Thana -GHANSHYAMPUR District- DARBHANGA

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1. Chandra Kant Bharti @ Bhulla, son of Sri Ramanand Bharti, resident of
Village- Godhul, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE MUNGESHWAR
SAHOO
ORAL ORDER

2 13-10-2015 Heard the learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, namely, Chandra Kant Bharti @ Bhulla
apprehends his arrest in Ghanshyampur P.S. Case No.135 of 2015
corresponding to G.R. No. 695 of 2015 under Sections 341, 323,
376, 511 of the Indian Penal Code.

According to the prosecution case, the informant lodged
the F.I.R. alleging that while she was worshiping after cleaning in
the temple, the petitioner tried to commit rape on her and then
anyhow the informant escaped her.

The learned counsel for the petitioner submitted that in
fact, the story narrated by the informant is absurd and cannot be
relied upon. There is delay of about 5 days in lodging the F.I.R.

and also the F.I.R. was sent after much delay to the Court.

On the other hand, the learned A.P.P. objected the prayer and submitted that there is direct allegation against this petitioner and, therefore, the application be rejected.

From perusal of the F.I.R., it appears that the informant who is a lady alleged that the petitioner tried to commit rape on her and for that purpose, he threw her down and closed her mouth but anyhow she escaped.

Since there is direct allegation against the petitioner and admittedly, there is no enmity between them as nothing has been disclosed in the bail application, I am not inclined to grant anticipatory bail to the petitioner.

Accordingly, this bail application is rejected.

(Mungeshwar Sahoo, J)

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