

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38875 of 2014

Arising Out of PS.Case No. -25 Year- 2014 Thana -MAHILA PS District- DARBHANGA

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1. Devanand Thakur @ Gore Thakur S/o Late Yogendra Thakur R/o Village
Bibi Pakar, P.S. Laheria Sarai, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Upendra Kumar(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 01-04-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
(Darbhanga) Mahila P.S. Case No. 25 of 2014 registered for the
offence punishable under Section 376 of the Indian Penal Code.

Allegedly, the petitioner committed rape upon the
informant in the orchard on 17.03.2014 and he promised to marry
with her but ultimately refused to marry resulting the initiation of
this case.

Submission is of false implication and that the FIR
has been lodged after much delay. During medical examination no
sign of rape was found and ultimately the case has been
compromised, and as such, the petitioner deserves sympathetic

consideration to which the learned APP opposes.

Considering the allegation attributed against the petitioner, this Court is not persuaded to grant the privilege of pre-arrest bail to the above named petitioner, accordingly, his such prayer stands rejected.

However, in case and if so advised, the petitioner surrenders and seeks regular bail before the court below, then his prayer for bail shall be considered on its own merit in view of the submissions of the learned counsel without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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