

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24588 of 2016

Arising Out of PS.Case No. -244 Year- 2016 Thana -BANKA District- BANKA

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Balram Tuddu @ Bal Kishore Tuddu, Son of Late Barka Tuddu, Resident
of Village- Nipaniya, P.S. Banka, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

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

For the Opposite Party/s : Mr. B.N. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-08-2016

Heard both sides.

The petitioner apprehends his arrest in Banka P.S.
Case No. 244/2016 registered under Section 376 of the Indian
Penal Code.

The informant alleged that his cousin was sleeping in
the house and she cried. The informant went there and saw the
petitioner committing rape with the cousin of the informant. The
occurrence took place on 24.03.2001 and the complaint was filed
immediately thereafter. The complaint case was sent to the police
station for registration and investigation but the police registered
the case only in the year 2016. It is submitted that some verbal
altercations took place between the informant and the petitioner,
that is why, the present case was lodged but from perusal of the
case diary, it appears that the informant and other witnesses have

very categorically stated that it was the petitioner who committed rape with the victim.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Banka P.S. Case No. 244 of 2016. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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