

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53298 of 2015

Arising Out of PS.Case No. -166 Year- 2015 Thana -PARWATTA District- KHAGARIA

=====

1. Dhananjay Kumar Son of Jagdish Gupta Resident of Village Beldour
Police Station Beldaur, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lala Sachindra Kumar

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

=====

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

3 15-01-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 376, 420 and 120 (B) of the I.P.C

Allegedly, the petitioner for providing employment in
the Health Department on the post of Nurse called the informant in
Dayal Rest House, Khagaria and got filled up the form and again
called for interview and in the night committed rape with her and
further in the morning put vermilion on her forehead but
thereafter started demanding dowry but any how amount of Rs.
1,00,000/- and other articles were given by the mother of the
informant and joint photograph was clicked but on enquiry it
revealed that the petitioner is married having children. Further, the

petitioner caused threats by using different SIM numbers as stated in the written report.

Submission is of false implication and that the occurrence is of 20.01.2015 but the case has been lodged after much delay on 04.06.2015, no medical test has been done, the owner or staffs of Dayal Rest House has not been examined, no independent witness has supported the case and the petitioner is suffering in custody having no criminal antecedent, to which the learned A.P.P. seriously opposes by submitting that the victim in her statement recorded under section 164 Cr. P.C has supported the allegation of rape and the petitioner after rape put vermilion on her forehead posing himself as her husband resulting the case was not lodged earlier.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Parbatta P.S. Case No. 166 of 2015/ G.R. No. 1451 of 2015 pending in the court of A.C.J.M. Khagaria.

Abhay/-

(Jitendra Mohan Sharma, J)

U		T	
---	--	---	--