

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8657 of 2016

Arising Out of PS.Case No. -177 Year- 2015 Thana -LAXMIPUR District- JAMUI

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Raj Kumar Yadav son of Bhelu Yadav Resident of Village Chin Beriya P.S.
Laxmipur District Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-04-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Section 376 of the Indian Penal Code, 4 of the Protection of Children from Sexual Offence Act, 2012 and 3(XI) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioner is that he committed rape upon the complainant. When complainant along with her uncle went to petitioner's house to make protest, they were abused by the family members of the petitioner taking their caste name.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. Petitioner has falsely been implicated in the present case. From perusal of paras-9, 10 and 11 of the case diary it is evident that petitioner has falsely been implicated in the present case.

On behalf of the State, it is submitted that petitioner is named in the F.I.R. and direct allegation of commission of rape is against him.

Considering the aforesaid facts and circumstances, I am

not inclined to grant anticipatory bail to the petitioner, same is rejected.

Any how, if petitioner surrenders in the court below, i.e., learned S.D.J.M., Jamui, in connection with Laxmipur P. S. Case no. 177 of 2015/G.R. no. 1603 of 2015 within a period of six weeks from the date of receipt of a copy of this order and pray for regular bail, same shall be considered and disposed of on its own merit preferably on the same day without being prejudiced by this order.

(Sudhir Singh, J)

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