

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46736 of 2016

Arising Out of PS.Case No. -184 Year- 2016 Thana -BARARI District- KATIHAR

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Ramdeo Mandal @ Sunil Kumar Mandal S/o Sri Narayan Mandal Resident
of Village- Gunjara, P.S. Barari, District Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.
Mr. Anujit Sinha, Adv.
For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 14-12-2016 Heard Mr. N.K. Agrawal learned senior counsel
appearing on behalf of the petitioner as well as learned A.P.P.

The petitioner apprehends his arrest in Barari P.S. Case
No. 184/2016, registered for the offences punishable under
Sections 376, 354B, 120B of the Indian Penal Code.

The informant alleged that both the petitioners took his
minor daughter and committed rape with her one by one.

Learned counsel for the petitioner submits that informant
Mukul Kumar Singh contested Zila Parishad election. The
petitioner also contested Zila Parishad election and got good
number of votes which caused annoyance to the informant, as he
lost the election of Zila Parishad. It is submitted that occurrence



took place in between 05.04.2016 to 03.05.2016, but the complaint petition was filed on 03.06.2016. The delay in lodging the case is not properly explained. The victim of course, reiterated the same facts in her statement under Section 164 Cr. P.C., but the victim appears to be a consenting party and she is major.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that victim herself made specific allegation that petitioner and Sintu Kumar took her to *Baihar*, committed rape with her one by one, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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