

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2594 of 2016**

Arising Out of PS.Case No. -64 Year- 2015 Thana -MAHILA PS District- DARBHANGA

1. Bijay Kumar @ Vijay Kumar Son of Laxman Sah R/o Village Banbari  
Patti, P.S. Keoti, District Darbhanga

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dharmendra Jha  
For the Informant : Mr. Jitesh Singh  
For the State : Ms. Gulnar Begum (App)

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

4 18-03-2016 Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State as well as learned  
counsel appearing on behalf of the informant.

The petitioner apprehends his arrest in connection with a  
case registered for the offences punishable under Section 376 of  
the Indian Penal Code and Section 4/6 of the POSCO Act.

Learned counsel for the petitioner submits that a false case  
has been instituted against the petitioner only because there was  
animosity between the families. It is further submitted that the  
petitioner is a student and is hardly likely to commit such offence  
being the next door neighbour.

Learned counsel appearing on behalf of the informant,  
however, submits that finding the victim girl alone in her house,  
the petitioner entered into the premises and committed the offence

as alleged.

Considering the nature of allegations made and that the mother, father and other family members have supported the case, I do not find prima facie any case for grant of anticipatory bail. It is accordingly rejected.

However, if the petitioner surrenders within a period of three weeks, his case may be considered on its own merit without being prejudiced by the order of this Court.

**(Anjana Mishra, J)**

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