

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 36994 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -KARTAHA District- VAISHALI(HAJIPUR)

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Shivjee Rai son of Heera Rai resident of Village- Kartaha (Tanra) P.S.
Kartaha, District- Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mrs. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

8. 08-12-2016 Heard Smt. Kumari Sujata Sinha, learned counsel for
the petitioner and Sri Akshay Lal Pandit, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in Kartaha
P.S. Case No. 49 of 2016 registered for offence under Sections
341, 323, 324, 325, 498(A), 379, 376, 504, 506/34 of the Indian
Penal Code, has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner
that only with a view to grab property, the informant, who is none
else but the daughter-in-law of the petitioner, has filed a false case
and on this ground, a prayer has been to grant anticipatory bail.

In this case, earlier case diary was called for.

Learned Addl. Public Prosecutor, by way of referring



to paragraph – 25 of the case diary, submits that even during investigation statement of victim was recorded under Section 164 of the Cr.P.C. and in said statement, she has virtually corroborated the allegation. Besides this, other witnesses have also supported the prosecution case. It is a case, in which, there is allegation by a daughter-in-law against her father-in-law for committing rape.

In view of seriousness of accusation, there is no point for considering the prayer for anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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