

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40276 of 2016

Arising Out of PS.Case No. -64 Year- 2016 Thana -JAMUI District- JAMUI

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1. Mahesh Ram Son of late Jagan Ram Resident of Near Aklabya College,
Jamui, P.S. & Distt Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-11-2016 Heard both sides.

The petitioner apprehends his arrest in Jamui P.S.
Case No. 64 of 2016, registered for the offences punishable under
Section 376 and other Sections of the Indian Penal Code.

The informant filed a Complaint Case bearing no.
171c/2016 on 09.02.2016 alleging therein that while she was
sleeping in her house, Mahesh Ram, the petitioner entered into her
house and committed rape with her and on alarm he fled away.

Learned counsel for the petitioner submits that the
petitioner is next door neighbour of the informant. The occurrence
is said to have taken place on 04.02.2016 but the complaint
petition was filed on 09.02.2016. No explanation of delay is given.
It is further submitted that the petitioner filed a complaint case

bearing no. 187c/2016 against the husband of the informant and others on 12.02.2016 for the occurrence said to have taken place on 31.01.2016.

It appears that the petitioner also filed a complaint case after 12 days of the occurrence. The informant is a lady and she explained that she had gone to Mahila P.S. on the same night for complain but no action has been taken and then the complainant filed the case.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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