

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 1519 of 2016

Arising Out of PS.Case No. -26 Year- 2015 Thana -MAHILA P.S. District- SAMASTIPUR

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Ram Pravesh Ray S/o Ram Padarath Ray, resident of village- Simri, P.S.-
Vidyapatnagar, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Smt.Sahin Begum(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 16-02-2016 Heard Sri Bhola Prasad, learned counsel for the
petitioner and Smt. Sahin Begum, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in
Samastipur Mahila P.S. Case no. 26 of 2015 registered for the
offence under Sections 376/511 & 452 of the Indian Penal Code,
has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner
that due to land dispute, the petitioner has falsely been implicated,
whereas, there is no plausible material on record to suggest that
land dispute was continuing in between the parties.

Learned Addl. Public Prosecutor, by way of referring
to the F.I.R., states that there is specific accusation against the

petitioner that he tried to commit rape with the minor girl i.e. informant of the case.

Sri Bhola Prasad, learned counsel for the petitioner has also argued that F.I.R. has been lodged much belatedly and this also suggests false implication, whereas, on perusal of the F.I.R., it is evident that the petitioner was firstly apprehended by the villagers after alarm being raised by the informant while he was trying to flee away, whereafter the F.I.R. discloses that a panchayati was also held in this regard. Accordingly, the argument of lodging F.I.R. belatedly is not appreciable, particularly, at the time of hearing anticipatory bail petition.

Accordingly, I do not find any ground for extending the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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