

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38435 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -RAJAULI District- NAWADA

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Shankar Rajbansi S/o Darogi Rajbansi, Resident of Village Chhatni, P.S. -
Rajouli, Dist- Nawadah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-11-2016 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in Rajouli P.S.
case No.40 of 2016 registered under Section 376 of the Indian
Penal Code and Sections 4, 6 and 8 of the Protection of Children
from Sexual Offences Act, pending before the court of 1st
Additional District and Sessions Judge, Nawadah.

Allegation is that the petitioner came in the field of the
informant and forcefully raped with the daughter of the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. The

medical examination report (Annexure-3) does not support the allegations made in the F.I.R. In fact there was love affair between the petitioner and the victim. Parents of the victim had approached for the marriage of the victim with the petitioner which was not accepted by the family members of the petitioner. Hence, the present case has been instituted.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The victim girl in her statement under Section 164 Cr.P.C. has supported the allegations.

Considering the aforesaid facts and circumstances, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Prayer for anticipatory bail is rejected.

Anyhow if the petitioner surrenders in the court below within a period of six weeks from today, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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