

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34350 of 2016

Arising Out of PS.Case No. -185 Year- 2015 Thana -DAUDPUR District- SARAN

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Araj Singh S/o Late Sahdeo Singh, resident of Village- Tajpur Phulwaria,
P.S. Manjhi, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Suresh Prasad Singh

Mr. Anil Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 09-11-2016 Heard Sri Dewendra Narayan Singh, learned counsel
for the petitioner, Sri Suresh Prasad Singh, learned Addl. Public
Prosecutor as well as Sri Anil Kumar Tiwari, learned counsel, who
has appeared on behalf of complainant/informant.

The petitioner, apprehending his arrest in Daudpur
P.S. Case No. 185 of 2015 registered for offence under Sections
498(A), 354, 376, 307, 34 of the Indian Penal Code, has prayed for
grant of bail in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner
that petitioner has falsely been implicated in this case on an
allegation that the complainant was raped by the petitioner long
back in the year 2009, whereas, F.I.R. was lodged in the year 2015
on the basis of earlier complaint filed by the complainant. He

further submits that some of the accused persons have already been extended the privilege of anticipatory bail.

However, learned Addl. Public Prosecutor as well as learned counsel for the informant, opposing the prayer, submit that the case of the petitioner cannot be compared with other accused persons, since against the petitioner, there is specific accusation of committing rape with the complainant.

In view of nature of accusation, I do not find any ground to extend the privilege of anticipatory bail.

Dismissed.

(Rakesh Kumar, J.)

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