

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2180 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -MAHILA P.S District- SUPAUL

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Anil Yadav son of Jagdish Yadav resident of village - Fulkaha, Tola -
Dulfahi, P.S. - Gamhariya, District - Madhepura. ... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 30-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Supaul
(Mahila) P.S. Case No. 66 of 2016 registered for the offences
punishable under Sections 341, 376(D), 506 and 120B of the
Indian Penal Code.

Allegedly, the petitioner and co-accused Bhutto Mallik
committed rape with the informant forcibly and thereafter, Harilal
Yadav maternal father-in-law and Pahari Mallik also came and all
persons caused threats.

Submission is of false implication and that the
prosecution story appears not probable and reliable, the case is
concocted one, in medical examination no spermatozoa was
found either live or dead. The husband of the informant has also
not come forward to say anything and as such the petitioner who is



suffering in custody since 04.08.2016 deserves sympathetic consideration.

Learned APP seriously opposes the prayer of bail by submitting that the petitioner and co-accused have committed gang rape with the informant.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner serious in nature, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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