

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40758 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -NARHAT District- NAWADA

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Akhilesh Kumar, Son of Birju Yadav, Resident of Village- Nadsena, P.S.-
Sitamarhi, District- Nawada.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Adv.

For the Opposite Party : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 21-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Narhat (Sitamarhi) P.S. Case No.07 of
2017, registered for the offence punishable under Section 366
(A)/34 of the Indian Penal Code.

On perusal of the statement of the victim girl, this
Court feels that the F.I.R. has been lodged under the wrong
sections as it is out and out a case of commission of rape upon
the victim girl. Hence, the Court below while framing the charge
will examine the entire material and framed the charge against
the petitioner.



Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected.

(Shivaji Pandey, J)

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