

Arising Out of PS.Case No. -401 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

.... Petitioner

Versus

.... Opposite Party

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Smt Sangeeta Sharma

The allegation of informant Tabasum Parveen is that before three months she had gone to the mobile shop of the petitioner for repairing of her mobile, while the petitioner handed over mobile to the informant, but he noted the mobile number of informant and thereafter, he used to talk to informant on her mobile, but informant always switched off her mobile. On



02.10.2016 in the night at 11.00 P.M. petitioner entered in the house of the informant and committed rape upon the informant. On the next morning, she narrated the incidence to her father. Thereafter, Panchayati was arranged then petitioner and his other family members assaulted his father in which her father sustained fractured injury in his leg.

Learned counsel for the petitioner submits that while the occurrence is said to occurred on 02.10.2016 at about 11.00 P.M. but at that time, the petitioner was not present in his house as he had boarded in the train for going to Kolkata.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial Court within four weeks and pray for regular bail, which would be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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