

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35299 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -JAGDIHSPUR District- BHOJPUR

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Dineshwar Yadav, Son of Late Jhagru Yadav, Resident of Village- Kawra
Mathiya, P.S. Jagdishpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party : Mr. Dr. Ajeet Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 11-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Jagdishpur P.S. Case No. 138 of 2017, registered for the
offences punishable under Sections 452, 376 of the Indian Penal
Code.

Allegedly, the petitioner being *bhaisur* of the
informant along with two unknown entered into the house of the
informant and tried to commit rape with her.

Submission is of false implication and that petitioner
has not committed any offence, he has been made accused only
with a view to put pressure, all the allegations are concocted and
baseless. Title Suit is going on and to compromise that, this case



has been lodged. Jagdishpur P.S. Case No. 61 of 2017 is also pending between the parties. Jagdishpur P.S. Case No. 61 of 2017 has been filed against the informant and her husband vide Annexure-2 and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. seriously opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with Jagdishpur P.S. Case No. 138 of 2017, pending in the Court of learned A.C.J.M. XI, Bhojpur at Ara.

(Jitendra Mohan Sharma, J.)

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