

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43431 of 2016

Arising Out of PS.Case No. -227 Year- 2016 Thana -WAJIRGANJ District- GAYA

=====

Binod Choudhary alias Binod Kumar, son of Ramawtar Choudhary alias
Babuchand Choudhary, resident of village- Jamuan, P.S. -Wazirganj,
District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramesh Singh

For the Opposite Party/s : Sri Amit Kumar Rakesh

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 12-04-2017 Heard Sri Ramesh Singh , learned counsel for the

petitioner , Sri Amit Kumar Rakesh, learned Additional Public

Prosecutor as well as Sri Prithvi Raj Singh, learned counsel, who

has appeared on behalf of the informant.

The petitioner, has approached this court with a prayer
to grant bail in the event of his arrest or surrender in Wazirganj
P.S. Case No. 227 of 2016 registered for the offence under Section
376 of the Indian Penal Code.

It was submitted by learned counsel for the petitioner
that though it was alleged that victim was minor, during medical
examination no positive sign was found and as such, it is a fit case
for grant of anticipatory bail. He further submits that in the
information given before the Police the victim had disclosed that
she was repeatedly raped by the petitioner for several days



however , while her statement was being recoded under Section 164 Cr.P.C. she disclosed as if she was raped on only one day. On aforesaid ground a prayer has been made for granting anticipatory bail.

Earlier photo copy of case diary was called for which has been received and placed on record. Learned Additional Public Prosecutor submits that besides the victim other witnesses on the basis of facts disclosed by the victim had corroborated the allegation.

Be that as it may, in the F.I.R. there is specific accusation against the petitioner. I do not find any ground for extending the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

U		T	
---	--	---	--

