

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53924 of 2016

Arising Out of PS.Case No. -136 Year- 2016 Thana -DHAMDHAHA District- PURNIA

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1. Hemant Kumar Mahto son of Shiv Nandan Mahto R/o village - Bardalia,
P.S. - Dhamdaha, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 21-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Dhamdaha P.S. Case No. 136 of 2016 registered under
Section 366A/34 of the I.P.C. pending in the Court of Judicial
Magistrate, 1st Class, Purnea.

Submission is that petitioner is innocent and has
committed no offence. This case is lodged after two days of the
alleged occurrence without explaining the delay. Further
submission is that petitioner has no criminal antecedent.

Learned A.P.P. opposed the prayer of the petitioner
with submission that petitioner is named in the F.I.R. and the
victim, in her statement recorded under Section 164 of the Cr.



P.C., specifically stated that this petitioner along with co-accused has committed rape.

Having considered the facts and circumstances of the case and nature of the allegation, I am not inclined to allow the prayer of the petitioner for anticipatory bail. Accordingly, prayer of the petitioner is rejected.

(Arvind Srivastava, J)

Shailendra/-

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