

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40567 of 2016

Arising Out of PS.Case No. -117 Year- 2016 Thana -KHAIRA District- JAMUI

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1. Hari Yadav, son of late Amrik Yadav, resident of village- Majhiyani,
P.S- Kharia, District-Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 06-03-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Khaira P.S.
Case No.117 of 2016 instituted for the offence under Section(s)
341, 323, 376, 379, 504, 506 Indian Penal Code pending in the
Court of the Chief Judicial Magistrate, Jamui.

There is specific allegation against this petitioner of
committing rape with the informant. The informant has also
produced semen stained *petticoat* before the police and the police
prepared production-cum-seizure list, which is enclosed with the
First Information Report.

The victim lady in her statement recorded under
Section 164 Cr. P. C. has fully supported the case and levelled



specific allegation against the petitioner of committing rape with her. Report of the Forensic Science Laboratory, Patna, has been received, in which it has been mentioned that semen has been detected on the Exhibit marked 'A'.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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