

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41301 of 2017

Arising Out of PS.Case No. -52 Year- 2017 Thana -KODHA District- KATIHAR

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1. Jitendra Kumar, Son of Upendra Rai, Resident of Village- Babanganj,
Police Station- Korha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-11-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Korha P.S. Case No. 52
of 2017 instituted for the offence under Section-376 of the Indian Penal
Code.

As per written report, there is allegation against this
petitioner of committing rape with the daughter of the informant who is
deaf by birth after taking her in a maize field.

C.D. has been received wherein nephew of the victim girl
namely Sunny Kumar who is eye witness of the occurrence, has given
statement in para-8 that he saw petitioner taking away his FUA (the
victim girl) in the maize field. He immediately came to the house to
inform her parents. The medical report of the victim is available in the
case diary wherein the doctor has found presence of few epithelial cells.
The police has recorded the statement of victim girl wherein she has



supported the case levelling specific allegation against this petitioner.

The police has also found damage to maize crops in the aforesaid land.

Therefore, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail stands rejected.

The petitioner is directed to surrender in the court below and seek regular bail which will be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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