

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 45052 of 2016

Arising out of P.S. Case No. - 417 Year - 2014 Thana - BAHADURPUR District - DARBHANGA

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Ram Shringar Ram, Son of Late Kusheshwar Ram, Resident of Village Bariyaul, P.S. Kamtaul, District Darbhanga, at present working as Class IV employee in the office of L.N. Mithila University, Darbhanga

.... Petitioner

Versus

1. The State of Bihar
2. Sabita Devi, Wife of Binod Ram, Resident of Village Ojhaul, P.S. Bahadurpur, District Darbhanga

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Kaushalesh Choudhary, Advocate

For the Opposite Parties : Mr. Abhay Kumar Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 09-02-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code.

Allegation against the petitioner is that he attempted to commit rape on the informant.

Submission of the petitioner is that the informant has been set up by Vijay Yadav to level false allegation against the petitioner, just to pressurize in the land dispute with Vajay Yadav. Further submission of the petitioner is that the police had not sent up the petitioner for trial



and found the prosecution case false in spite of that the learned court below has taken cognizance against the petitioner.

Learned counsel further submits that the Registrar of the University has given certificate that the petitioner was present in the office at the time of alleged occurrence. Moreover, there is no explanation for delayed lodging of the First Information Report.

Considering the entire facts and circumstances, at this stage, the statement of the victim is not unbelievable, hence, I am not inclined to grant anticipatory bail to the petitioner in connection with Bahadurpur Police Station Case No. 417 of 2014 corresponding to G.R. No. 4394 of 2014 pending in the court of learned Chief Judicial Magistrate, Darbhanga.

Hence, prayer for bail is rejected.

(Birendra Kumar, J)

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