

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19957 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -ALAMNAGAR District- MADHEPURA

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1. Bikash Sah @ Vikash Kumar Sah Son of Binod Sah, Resident of
Village- Akaha, P.S.- Alamganj, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-05-2017 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 offence punishable under Section 376 of the Indian Penal Code.

The petitioner is alleged to have committed rape on the informant. The victim has supported the aforesaid allegation in her statement under Section 164 Cr.P.C.

Learned counsel for the petitioner persuades the Court to disbelieve the allegation on the ground that the petitioner was a compounder and had visited the house of the informant in the day to put injection to the informant and in the night he came voluntarily and committed rape. The aforesaid statement



according to learned counsel for the petitioner shows that this is a matter of consensual sex.

Considering the statement of the victim girl, I am not inclined to grant anticipatory bail to the petitioner in connection with Alamnagar Police Station Case No. 23 of 2017, pending in the court of learned Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura/Successor Court.

Accordingly, the prayer for anticipatory bail is refused.

(Birendra Kumar, J)

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