

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8481 of 2017

Arising Out of PS.Case No. -20 Year- 2016 Thana -MAHILA P.S. District- SHEOHAR

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1. Dipu Kumar aged about 22 years, son of Ram Sogarath Sah, Resident of Village- Minapur Balaha, P.S.- Piprahi, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Shankar Sinha
For the Opposite Party/s : Mr. Sri Navin Kumar Pandey
For the Informant : Mr. Pushpendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-03-2017 The petitioner is apprehending his arrest in connection with Sheohar Mahila P.S. Case No. 20 of 2016, registered for offences punishable under Section 376(2)(ii), 201, 379, 323, 506 and 34 Indian Penal Code and Section 4 POCSO Act.

It has been submitted on behalf of the petitioner that informant herself is the victim in this case and there is contradiction in the statement of the girl recorded under Section 164 of Cr.P.C. and there is inordinate delay of ten days in filing of the present case. However, there is no finding of rape in the medical report.

Heard learned A.P.P. and learned counsel for the informant. Learned counsel for the informant has submitted that so far the delay in lodging the present case is concerned, the same has



already been explained in the F.I.R. as the matter was earlier fixed for panchayati but in the said panchayati, petitioner did not participate rather he went to the informant and assaulted her and threatened her to not go to the police.

Having heard both sides, considering the facts and circumstances of the case, and the nature of allegation, I am not inclined to grant the petitioner, the privilege of anticipatory bail, it is accordingly rejected.

However, petitioner may surrender before the court below and pray for regular bail, and if any such application is filed, the same will be considered by the court below on the merit of the case, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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