

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22856 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -BAIKUNTHPUR District- GOPALGANJ

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Dilip Kumar Son of Mankeshwar Raute, Resident of Village- Bakhari, P.S.-
Baikunthpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey

For the Opposite Party/s : Mr. Ajay Kumar -2

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 13-07-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Baikunthpur P.S. Case No. 94 of 2016 for the offences punishable under sections 354 (B), 376 and 511 of the I.P.C and sections 4, 5, 9 and 18 of the POCSO Act.

Allegedly, the petitioner in absence of the family members of the complainant/informant after entering into her house tried to commit rape upon her but due to resistance made by the informant she was saved. After return of the mother on 24.04.2016 they went at the police station on 25.04.2016 but no case was registered. Attempt was made by her to the S.P.



Gopalganj then the complaint case was filed which was sent for registering the case and investigation.

Submission is of false implication and that the occurrence is of 22.04.2016, whereas, complaint was filed on 03.05.2016 after much delay, all the allegations are concocted and baseless, due to the previous enmity the petitioner has been implicated and as such he deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M-III, Gopalganj.

(Jitendra Mohan Sharma, J)

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