

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2775 of 2017

Arising Out of PS.Case No. -67 Year- 2016 Thana -KHAIRA District- SARAN

Shailesh Kumar son of Harendra Mahto, R/o village- Patedha, P.S.- Khaira,
District- Chapra Petitioner

.... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Tiwary

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 04-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with Khaira P.S. Case No. 67 of 2016 registered for the offences punishable under Sections 147, 341, 504, 506, 376, 328 of the Indian Penal Code.

Allegedly, the petitioner mixed intoxicating articles in cold drink and sexually exploited the informant and on threat the petitioner used to exploit her sexually, he also went to Calcutta along with the informant where also he sexually assaulted her, his father came and brought Shailesh Kumar from the house of the brother of the informant and when the informant was returning, the petitioner and other accused assaulted her making allegation that she had kidnapped Shailesh Kumar.

Submission is of false implication and that in this case



other co-accused Harendra Mahto and others have been allowed pre-arrest bail vide Cr.Misc. No. 43615 of 2016 by another co-ordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration to which the learned APP seriously opposes.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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