

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21417 of 2017

Arising Out of PS.Case No. -237 Year- 2014 Thana -SURYAGARHA District- LAKHISARAI

Jitendra Kumar, son of Nago Mahto, resident of Village- Manikpur,
Navtoliya, P.S.- Surgagarha (Manikpur), District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.,

For the Opposite Party/s : Mr. Sri Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 06-07-2017

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Suryagarha (Manikpur) Police Station Case No. 237 of 2014, disclosing offences under Sections 366(A), 376(2)G, 506 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the victim was examined under Section 164 Cr.P.C. and narrated a different story to the prosecution version. Moreover, the victim was medically examined by the Doctor and the Doctor has not found any external or internal sign of rape on the victim. Therefore, no case



under Section 376 of the Indian Penal Code is made out against the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned A.P.P has opposed the prayer for bail and submitted that the petitioner is named in the F.I.R. with direct allegation that he has committed rape on the victim.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

brajesh/-

U		T	
---	--	---	--

