

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7004 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -MAHILA P.S. District- SIWAN

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Yogendra Rai @ Yogendra Kumar Rai Son of Late Acchuta Nand Rai,
Resident of Village-Amarpur, P.S.Darauli and District-Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Utsav Kumar, Advocate

For the Opposite Party/s : Mr. APP

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

ORAL ORDER

2 23-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Siwan Mahila P.S. Case No. 94 of 2016 registered for the
offences punishable under Sections 376, 313, 316 of the Indian
Penal Code.

Allegedly, the petitioner being the father of the
informant committed rape with her and when she became
pregnant, she was aborted at Leelawati Hospital.

Submission is of false implication and that the
prosecution story appears not probable and reliable, no father will
commit such an offence, the petitioner is postmaster and the FIR
has been lodged after much delay. The medical evidence does not
support the prosecution version. The informant is living with the



petitioner and as such the petitioner deserves sympathetic consideration.

Learned APP seriously opposes the prayer of pre-arrest bail.

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

(Jitendra Mohan Sharma, J)

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