

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56004 of 2017

Arising Out of PS.Case No. -47 Year- 2017 Thana -SIKARHATA District- BHOJPUR

Rupak Kumar, Son of Raja Sah, Resident of Village- Sikraul Bal Tola,
Police Station- Sikarhatta in the district of Bhojpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 01-12-2017 Heard leaned counsel for the petitioner and the
leaned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sikarhatta P.S. Case No. 47 of 2017, registered under Section 366(A) of the Indian Penal Code, pending in the court of the S.D.J.M., Bhojpur at Ara.

The accusation is that the minor daughter of the informant was sleeping in the night of 16.06.2017 in the house, but in the morning she was not found in the house. On search, some mobile numbers was found noted on the paper in her room and a mobile set was also found there, which was later on detected that the said mobile was of petitioner. The informant claimed that his minor daughter has been enticed away by the petitioner.



Learned counsel for the petitioner submits that, in fact, petitioner is nest door neighbour and due to grudge and enmity, he has falsely been implicated in this case.

On perusal of the order dated 18.09.2017, passed in ABA No. 1163 of 2017 by the 1st Addl. Sessions Judge, Bhojpur at Ara, wherein the prayer of the petitioner has been rejected, it appears that the statement of victim under Section 164 Cr.P.C. has been recorded in which she has disclosed that when she has gone for call of nature then someone covered her face and mouth and sat her on the tempo where she identify the petitioner. Thereafter she made alarm then one Mahmud assaulted and committed rape upon her.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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