

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32692 of 2017

Arising Out of PS.Case No. -139 Year- 2013 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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Sushil Kumar Son of Sakal Raut, Resident of Village- Basudeopur Chandel,
P.S.- Mahnar, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Adv.

For the Opposite Party/s : Mr. Sri Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mahnar P.S.Case No. 139/2013 registered under Sections 341, 323, 324, 376/34 of the I.P.C. and 7, 8 of POCSO Act pending in the court of the Chief Judicial Magistrate, Vaishali at Hajipur.

The accusation is that while on 11.9.2013 at about 3 P.M. the informant Usha Devi was doing domestic work and her daughter aged about 6 years was playing outside the house, this petitioner being the uncle of the daughter of the informant took her in the hut of Asha Devi and made attempt to commit rape. Feeling annoyance she asked him to flee away and thereafter alarm was raised, then the husband of the informant also came and went to the house of the petitioner to make complaint. Thereafter the



family members of the petitioner started assaulting the informant and her husband.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has been implicated in this case due to land dispute.

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

However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

Surendra/-

(Rajendra Kumar Mishra, J)

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