

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31994 of 2017

Arising Out of PS.Case No. -294 Year- 2016 Thana -NAUBATPUR District- PATNA

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Pintu Singh, Son of Surendra Prasad Sharma @ Munshi, Resident of
Village- Gopalpur, P.S.- Naubatpur, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Usha Kumari Singh, Advocate

For the Opposite Party : Mr. Sri Bharat Bhushan (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 21-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Naubatpur P.S. Case No. 294 of 2016, registered for the
offence punishable under Section 376 of the Indian Penal Code.

Allegedly, the petitioner being in drunken state
committed rape with the informant after causing threats.

Submission is of false implication and that due to
enmity the petitioner has been implicated, no such occurrence has
taken place, the petitioner has got no criminal antecedent. At the
instance of Ramesh Sharma, this false and fabricated case has
been filed by the informant. During investigation, the witnesses
vide para 8 to 11 have not stated anything in this regard and, as



such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the informant in her statement recorded under Section 164 of Cr.P.C. has also supported the allegation of rape.

In the facts and circumstances as stated above, considering the allegation attributed against him, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Naubatpur P.S. Case No. 294 of 2016, pending in the Court of learned A.C.J.M., Danapur, Patna.

(Jitendra Mohan Sharma, J.)

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