

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34494 of 2018

Arising Out of PS. Case No.-1059 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Gautam Kumar, aged about 28 years, Son of am Narain Prasad, Resident of
Village- Muzaffarpur, Nalanda, P.S.- Nalanda, Dist- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi aged about 35 years, W/o Late Jai Ram Kumar, Resident of
Muhalla- Purvi Nand Gola, P.S.- Malsalami, Dist- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad
For the Opposite Party/s : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection
with Complaint case No.1059 of 2017 registered under Sections
323, 504, 498A, 376, 313, 314, 315 of the I.P.C. and ¾ of
Dowry Prohibition Act, pending in the court of A.C.J.M., Patna
City.

Allegation against the petitioner is of committing
rape upon the victim.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. There is no medical examination report in support of allegations made in respect of offence under Section 376 I.P.C.

On behalf of the State, it is submitted that the petitioner is named in the complaint case. Specific allegation of commission of rape is alleged against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

Any how if the petitioner surrenders in the court below, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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