

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75824 of 2018

Arising Out of PS. Case No.-176 Year-2017 Thana- COMPLAINT CASE District- Araria
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Birbal Das S/o Sada Nand Das Resident of Village-Hanuman
Nagar,Dharhara,P.S. Narpatganj,Distt.-Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi W/o Dinesh Das Resident of Village-Hanuman Nagar
Ghurhara,P.S. Narpatganj,Distt.-Araria

... .. Opposite Party/s
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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.

For the Opposite Party/s : Mr.Mr. Manoj Kumar, A.P.P.
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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 176c of 2017 for the offence
punishable under Sections 341, 323, 379, 452, 354(B),
380/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. The petitioner
has falsely been implicated in this case. No occurrence has
taken place as alleged in the complaint. Hence, the
petitioners may be granted the privilege of anticipatory bail.



Learend A.P.P. for the State has opposed the prayer for bail and submitted that there is direct allegation against the petitioner that he entered into the room of the daughter of the complainant while she was sleeping and tried to commit rape upon her.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to this petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

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