

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19918 of 2018

Arising Out of PS.Case No. -256 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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1. Mithilesh Kumar @ Mithilesh Kumar Yadav.
2. Santosh Kumar @ Santosh Kumar Yadav, Both son of Sikam Lal Yadav,
Resident of Village-Gonha P.S. Triveniganj, District-Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-05-2018 The petitioners are apprehending their arrest in connection with Triveniganj P.S. Case No. 256 of 2017, registered for offences punishable under Sections 366(A)/34 of the Indian Penal Code.

Allegation against the petitioners is of kidnapping the sister of the informant and committing rape on her.

It has been submitted on behalf of the petitioners that there is contradiction between the first information report as well as in the statement of girl recorded under Section 164 Cr.P.C. and furthermore, there is delay of seven days in lodging the F.I.R. and that falsifies the prosecution case.

Learned counsel for the State oppose the prayer for bail and submitted that the girl in her statement recorded under Section



164 Cr.P.C. has stated that the petitioners kidnapped her and committed rape on her.

Having heard both sides, considering the facts and circumstances of the case and the nature of offence, I am not inclined to grant the privilege of anticipatory bail to the petitioners, this application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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