

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8540 of 2019

Arising Out of PS. Case No.-165 Year-2015 Thana- KAHALGAON District- Bhagalpur

Abinash Das Son of Narsingh Das R/o village- Amapur, P.S- Ghogha
(Kahalgaon), District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sinha
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2019 This is an application for grant of anticipatory bail in connection with Ghogha(Kahalgaon) P.S. Case No. 165 of 2015, disclosing offences under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of committing rape upon the informant and the occurrence is of the year 2015.

Submission of learned counsel for the petitioner is that prior to lodging of this case, a case had been lodged by the father of the petitioner against the husband of the informant and others and due to that this false and concocted case has been lodged against the petitioner.

Heard learned A.P.P. also, who opposed the prayer for anticipatory bail of the petitioner stating that there is direct allegation against the petitioner of rape upon the informant and materials collected during the course of investigation also



support the same.

Having heard both sides, in view of the facts and circumstances of the case as stated above, I am not inclined to grant anticipatory bail to the petitioner, rather he should surrender and make prayer for regular bail, which shall be considered on the basis of materials available on record.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

Amjad/-

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