

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15383 of 2019**

Arising Out of PS. Case No.-658 Year-2017 Thana- HAJIPUR District- Vaishali

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ARJUN KUMAR, Son of Ram Chandra Sah, Resident of Village –
Mohammadpur, Police Station – Manhar, District – Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha
For the Opposite Party/s : Mr.Ramchandra Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

5 27-06-2019 This application, for grant of anticipatory bail, arises

out of Hajipur Town P.S. Case No. 658 of 2017, disclosing

offences under Sections 365, 366 and 34 of the Indian Penal

Code.

Prosecution story is that sister of the informant was

kidnapped by the petitioner and others for prostitution and they

have also committed rape upon her and further the statement of

girl recorded under Section 164 Cr.P.C. disclosed the name of

the petitioner as well as the allegation of commission of rape.

Submission of learned counsel for the petitioner is

that he has falsely been implicated in this case and earlier to this

case, a case has been lodged by the petitioner side against the

alleged victim girl and others stating that they are running a

racket of prostitution and due to which, the present false case



has been filed. Further submission is that falsity of the case will also appear from the fact that the doctor has found the recent sign of sexual intercourse, though she was examined much after the occurrence.

Heard learned A.P.P. as well as learned counsel for the informant.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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