

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20391 of 2019**

Arising Out of PS. Case No.-179 Year-2018 Thana- MAHUA District-
Vaishali

- =====
1. PAPPU RAI @ PAPPU KUMAR, male, aged about 28 years, Son of Late Bindeshwar Rai Resident of Village - Mirzanagar, P.S.- Mahua, District - Vaishali
 2. Dharmveer Kumar Rai, male, aged about 28 years, Son of Jamun Rai Resident of Village - Mirzanagar, P.S.- Mahua, District - Vaishali
 3. Sudhir Kumar, male, aged about 22 years, Son of Nand Kishore @ Milu Rai Resident of Village - Mirzanagar, P.S.- Mahua, District - Vaishali
 4. Pintu Kumar, aged about 21 years, male, Son of Mahendra Rai Resident of Village - Mirzanagar, P.S.- Mahua, District - Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Shravan Kumar, Sr. Advocate.
Mr. Dinesh Maharaj, Advocate.
For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 16-07-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehends his arrest for the offences alleged under Sections 376(2)(g), 506, 363 of the Indian Penal Code registered in connection with Mahua P.S. Case No. 179 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the accusations in the F.I.R. are of doubtful nature. There is considerable delay in lodging the F.I.R. on 15.07.2018 for



the alleged occurrence of 11.07.2018. It is submitted that even in the medical report no evidence of recent sexual activities has been found (Annexure-2). The informant has thereafter filed a petition before the learned Chief Judicial Magistrate, Vaishali at Hajipur narrating a different version of the said circumstances and resiling from her accusations. The petitioners claim clean antecedents.

4. Learned APP on the other hand submits that there is direct accusation against the petitioners and even in her deposition recorded under Section 164 Cr. P.C. she has reiterated the accusation against the petitioners.

5. Having regard to the nature of accusations and the gravity of the offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

6. If the petitioners surrender and seek regular bail before the learned Court below the same shall be considered on its own merit in accordance with law, without being prejudiced by any observation in the present order.

(Vikash Jain, J)

Ibrar/BT

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