

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23074 of 2019**

Arising Out of PS. Case No.-277 Year-2018 Thana- BAIKUNTHPUR
District- Gopalganj

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Rakesh Kumar @ Dilip Kumar, aged about 21 years, male, Son of Subh Narayan Prasad @ Shubnarayan Resident of Village-Bakhari,P.S-Baikunthpur, District-Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 342, 323, 354(B), 506/34 of the Indian Penal Code and Section 8/10 of POCSO Act registered in connection with Baikunthpur P.S. Case No. 277 of 2018.

3. It is submitted that the petitioner has been falsely implicated out of village politics and clearly the informant and the accused persons were known to each other. The accusations are general and omnibus in nature. There is no injury to corroborate the accusation of assault. The petitioner claims clean antecedents.

4. Having regard to the nature of accusation, gravity of



the offence alleged as well as the specific accusation that the petitioner who pulled the *dupatta* of the informant as well as the reiteration of the accusations in her statement recorded under Section 164 Cr. P.C., this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

5. If the petitioner surrenders and seeks regular bail before the learned trial Court the same shall be considered on its own merits in accordance with law and without being prejudiced by any observation in the present order.

(Vikash Jain, J)

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