

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39358 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- INDUSTRIAL District- Bhagalpur

Jitu Das, Aged about 25 years, M, Son of Hari Das, Resident of Village-
Gopalpur, P.S.- Industrial, District- Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 20-08-2019 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, 323, 376 and 504/34 of the Indian Penal Code registered in connection with Industrial P.S. Case No. 23 of 2019.

3. It is submitted that the petitioner has been falsely implicated on the accusation of having committed rape upon the informant. The informant did not lodge an FIR rather she had written an application to the Deputy Inspector General of Police on the alleged date of occurrence on 16.02.2019 and the FIR has been registered on 01.03.2019 only on the informant's petition to the D.I.G. of Police. It appears that the informant had lodged a similar FIR relating to the incident which took place on 24.11.2018 but no FIR was lodged on that occasion. The petitioner's mother had earlier lodged an FIR on 03.12.2018 (Annexure-2). As a matter of fact, it is a case of love affair between the petitioner and the informant but the same was being opposed as the parties belong to different caste. The petitioner claims clean antecedents.



4. Learned APP opposes the petition submitting that the the victim has made direct accusation against the petitioner in her deposition recorded under Section 164 of the Cr.P.C. Moreover, the medical report contained in paragraph 45 of the case diary shows the age of the informant's girl between 14-16 years.

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

(Vikash Jain, J)

BT/-

U		T	
---	--	---	--

