

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47155 of 2019

Arising Out of PS. Case No.-29 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

RANJAN KUMAR Son of Yogendra Das R/O Village Parmanandpur, P.S.
Dewariya, District- Muzaffarpur.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Tribhuwan Narayan, Advocate. Mr. Mithilesh Kumar Vidyarthi, Advocate.
For the State	:	Mr. Akshay Lal Pandit, A.P.P.
For the Informant	:	Mr. Shubhesh Pandey, Advocate. Mr. Shashi Bhushan Singh, Advocate.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with Muzaffarpur Mahila P.S. Cae No.29 of 2018 registered under Sections 376(D) and 506/34 of the Indian Penal Code besides Sections 4/6 of the POCSO Act, pending in the court of the 1st Additional Sessions Judge-cum-Special Judge, Muzaffarpur.

The accusation is that the petitioner, who is the co-villager of the informant, reached at the house of maternal grandfather of the informant and took her boarding on the motorcycle along with his associate for village on the pretext of illness of mother of the informant but, in the way, this petitioner and his associate committed rape on the informant.



Learned counsel for the petitioner submits that while the occurrence is of the evening of 23.05.2018 but the F.I.R. was lodged by the informant on 28.05.2018, i.e., after five days of the occurrence, but no explanation regarding the delay in lodging the F.I.R. has been furnished by the informant.

It appears from perusal of the F.I.R. that the explanation regarding the delay has been furnished by the informant.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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