

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48274 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- MAHILA P.S. District- Patna

VICKY KUMAR Son of Sanjit Singh @ Sanjit Kumar Singh Resident of
Village - Daulatpur, Post Gandhi Tola Daulatpur, P.S.- Gaurichak, District-
Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Kumar Uday Singh, Advocate
For the State	:	Mr.Syed Ehteshamuddin, APP
For the informant	:	Mr. Daya Nand singh, Advocate
		Mr. Nagadeo Choudhary, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in connection
with Mahila P.S. case No.9 of 2019 registered under Sections
376, 420, 468, 420, 471, 379, 506/34 of the Indian Penal Code,
pending in the court of Judicial Magistrate, 1st class, Patna.

Allegation is that the petitioner committed rape with
the victim and prepared a video and threatened her not to
disclose anyone.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against
the petitioner. The petitioner has falsely been implicated in the



present case. There is no photograph on record to show that the petitioner had tried to blackmail the informant. The informant is the sole witness. There is no eye witness to the alleged occurrence. The alleged occurrence is said to have taken place in the year 2017. The case was instituted in the year 2019. Delay has not been disclosed by the prosecution.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The victim has been examined under Section 164 Cr.P.C. The husband of the victim had also instituted a case in the year 2018 against the petitioner and the informant.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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