

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79975 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- RAIYAM District- Darbhanga

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Raju Choupal Son Of Late Satrugan Choupal, Resident Of
Village/Mohallah- Pacharhi, P.S.- Raiyam, District- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-01-2019 Heard both sides.

The petitioner apprehends his arrest in Raiyam P.S.
Case No. 34/2018, registered for the offences punishable under
Section 376 and 34 of the Indian Penal Code and section 3 and 4
of the P.O.C.S.O. Act.

The victim made allegation that petitioner and
Mantun Choupal came with sickle and threatened her. Mantun
Choupal untied her cloth and committed rape with her.

Learned counsel for the petitioner submits that no
allegation of rape is made against the petitioner and there is
delay of seven months in lodging the case, but it appears that the
petitioner also helped Mantun Choupal and threatened the minor
girl to kill her and on such Mantun Choupal committed rape
with the victim.



Considering the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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