

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74529 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- CHAUTHAM District- Khagaria

Hitlar Kumar S/o Ram Bilash Singh @ Bilash Singh, Resident of Village-
Barhara, P.S. Chautham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Sri Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-01-2019 Heard both sides.

Petitioner apprehends his arrest in Chautham P.S.
Case No.147 of 2018 registered under Sections 376, 504, 323
and other sections of the Indian Penal Code and under Sections
4 and 8 of the POCSO Act.

The victim made allegation that while she was all
alone in her house, the petitioner entered and assaulted her and
committed rape with her. On alarm her aunt came and caught
the petitioner but the petitioner managed to flee away.

Learned counsel for the petitioner submits that the
victim made her statement under Section 164 Cr.P.C. but did not
support her allegation of committing rape. The doctor did not
find any injury on the person of the victim but it appears from
perusal of the statement recorded under Section 164 Cr.P.C. of



the victim that the petitioner entered into her house, tied her hand and legs but on alarm her aunt came and saved her.

Taking into consideration the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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