

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8728 of 2020**

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA PS District- Darbhanga

SHATRUHAN CHAUPAL @ SHATRUDHAN CHAUPAL @
SHATRUDHAN KUMAR Son of Videshi Chaupal Resident of Village -
Bhaluka, P.S.- Kusheshwarasthan, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

3 25-06-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Darbhanga Mahila PS case no. 40 of 2019 registered for the offences punishable under Sections 376, 323, 354, 504, 506/34 of Indian Penal Code.

The petitioner is alleged to have entered in the house of the informant in absence of her parents and had committed rape with the informant, however when she began to weep and cry, the petitioner promised that he would marry her



but if she disclosed to anyone about the incident, he would kill her.

The learned counsel for the petitioner has submitted that the petitioner is innocent, is having a clean antecedent and no such occurrence has ever taken place.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and perused the materials on record as also those available in the case diary. The victim girl, in her statement made under Section 164 Cr.P.C. before the Police has fully corroborated the allegation of rape levelled against the petitioner. It is also apparent from the case diary that the police, upon investigation, has found sufficient materials so as to find the incident to be true as against the petitioner herein.

Considering the aforesaid facts and circumstances of the case and taking into account the fact that prima facie, the allegation levelled against the petitioner has been found to be true by the police, upon investigation, I do not find it fit and appropriate case to consider the prayer of the petitioner for grant of anticipatory bail specially taking into account the heinous nature of crime alleged to have been committed by the petitioner



herein.

With the aforesaid observations, the present petition
stands dismissed.

(Mohit Kumar Shah, J)

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