

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9808 of 2020

Arising Out of PS. Case No.-292 Year-2019 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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MUKESH MISHRA @ MUKESH KUMAR MISHRA S/o Late Shri Mishra
@ Shri Narayan Mishra Resident of Village- Naily, P.S.- Magadh Medical
College, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-06-2020 This case has been heard through video-
conferencing.

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

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 376 of the
Indian Penal Code.

The petitioner is said to have taken the daughter of
the informant on the motorcycle to Bodh Gaya in a hotel and
made physical relation with her and also given threatening of
dire consequences in case of disclosing the same to anyone.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been



falsely implicated in this case due to ulterior motive. The F.I.R. has been lodged after lapse of 15 days without assigning any cogent and plausible reason for the same. In the medical report no sign of rape has been found. Petitioner has no criminal antecedent.

Learned APP for the State vehemently opposing the bail petition submitted that the allegation against the petitioner is serious in nature, hence he does not deserve bail.

Considering the facts and circumstances of case and particularly considering the criminal antecedents, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, the petitioner is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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