

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87027 of 2019**

Arising Out of PS. Case No.-15 Year-2019 Thana- MAHILA P.S. District- Muzaffarpur

Deepak Kumar Choudhary @ Deepak Chowdhary @ Deepak Kumar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Jayaswal

For the Opposite Party/s : Mr.Akshay Lal Pandit

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 14-02-2020 Heard learned counsel for the petitioner as well as

learned counsel for the informant and learned Additional Public

Prosecutor for the State.

Petitioner apprehends his arrest in connection with

Mahila P.S. Case No. 15 of 2019 registered for the offences

punishable under Sections 376, 366A, 323, 504, 506 of the

Indian Penal Code.

The accusation against the petitioner is that he

committed rape of 11 year old girl.

Submission on behalf of the petitioner is that there is

major contradictions in the statement of informant as well as

victim and moreover, the doctor did not find any sign of rape on

the victim.

The statement of victim has been recorded under



section 164 of the Cr.P.C in which she specifically stated that appellant committed rape on her.

Considering the aforesaid facts and circumstances as well as submission of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioner and, accordingly, his prayer for anticipatory bail in connection with Mahila P.S.Case No. 15 of 2019, pending in the court of Special Judge, POCSO Act, Muzaffarpur stands rejected.

(Hemant Kumar Srivastava, J)

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