

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33561 of 2020

Arising Out of PS. Case No.-13 Year-2020 Thana- PATORI District- Samastipur

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Brijbhushan Singh @ Abhishek Kumar Singh @ Golu Singh, Son of Late
Mithlesh Singh Resident of Village- Chapar, Police Station- Mohaddinnagar,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 29-06-2021 Heard Mr. Rabindra Kumar Priyadarshi, the learned

Advocate for the petitioner and Mr. Ramchandra Sahni, the

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Patori (Mohanpur O.P.) P.S. Case
No. 13 of 2020, dated 16.01.2020, instituted for the
offences under Sections 376 and 506 of the Indian Penal
Code.



It has been alleged in the F.I.R. that the petitioner, who is the son of the sister of the informant, subjected the informant to rape after intoxicating her and also made a video of the sexual act. It has further been alleged in the F.I.R. that the petitioner had also tried to blackmail the informant/prosecutrix.

Mr. Priyadarshi, the learned Advocate for the petitioner has submitted that the occurrence is stated to have taken place about six to seven months ago and there is no explanation worth its name for such delayed lodging of the F.I.R. He has further submitted that a relative of a woman would not indulge in such an act of committing rape on her. Apart from this, it has been submitted that the informant/prosecutrix ought to have resisted the action of the petitioner if at all he had committed such offence.

None of these grounds appear to be convincing and this Court has not been persuaded to grant anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail of the petitioner is, accordingly, rejected.



However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The application stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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