

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27430 of 2020

Arising Out of PS. Case No.-353 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

AJAY KUMAR Son of Bashisht Thakur Resident of Village- Rosi (Roshi),
P.S.- Bochahan, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Ms. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-01-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner apprehends arrest in Bochahan PS Case No. 353 of 2019 registered under Sections 376G, 302/34 of the IPC and Sections 4 & 6 of Pocsso Act.

The allegation in the FIR is that gang rape has been committed on the victim and thereafter she has been done to death. It is alleged that prior to the occurrence she was having intimate relationship with co-accused Badal Kumar.

Learned Counsel for the petitioner submits that there is nothing to suggest that the petitioner has any role to play in the alleged occurrence. Only one Badal Kumar has been named in the FIR and only on suspicion the petitioner has been implicated.

Earlier case diary had been called for and the same has



been received. Learned APP for the State referring to the same submits that the call detail report of the petitioner’s mobile number, which has been considered in the investigation, shows his presence near the place of occurrence on the fateful day. Thereafter it has been found switched off and turned on in Delhi on the next day. The circumstances clearly suggests petitioner’s involvement along with others, whose call detail reports has also been taken into consideration during investigation. The postmortem report also corroborates the allegation of gang rape and murder.

Having considered the rival submissions this Court does not consider it a fit case for grant of anticipatory bail.

This application is dismissed.

(Madhuresh Prasad, J)

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