

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28834 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- MAHILA P.S. District- Muzaffarpur

RAJ KUMAR CHOUDHARY @ RAJA BABU Son of Sahdew Chaudhary
Resident of Village- Barjee, Birji, P.S.- Motipur, P.O.- Motipur, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ansul

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 18-01-2021 Heard the learned counsel for the petitioner
and the learned APP appearing for the State.

This is an application for grant of anticipatory
bail in connection with Muzaffarpur Mahila P.S.
Case No. 14 of 2020 registered for the offence
punishable under Sections 376(3), 323, 341 of the
Indian Penal Code and Section 4 of the POSCO Act.

The allegation is regarding the petitioner
having committed rape with the victim girl.

The learned counsel for petitioner has
submitted that the petitioner is innocent, he has
been falsely implicated in the present case and he
is having a clean antecedent. The learned counsel



for the petitioner has submitted that the petitioner is having no complicity in the alleged occurrence.

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

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case diary as also considering the fact that the victim girl has specifically named the petitioner to have committed rape with her, in her statement made under Section 164 Cr.P.C., before the learned Magistrate, I do not find the present case to be a fit case for grant of anticipatory bail, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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