

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37458 of 2020

Arising Out of PS. Case No.-105 Year-2020 Thana- MAJHAULIA District- West
Champanan

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RAM VINAY KUMAR SON OF SARYUG SAHANI RESIDENT OF VILLAGE -
RAJABHAR, WARD NO. 01, PS- MAJHAULIA, DISTRICT- WEST
CHAMPARAN.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Vashistha Narayan Mishra, Adv.
	:	Mr.Sachida Nand Rai, Adv.
For the Opposite Party/s	:	Mr. Rajballabh Singh, APP
For the Informant	:	Mr. Mukesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-04-2021 Heard Mr. Vashistha Narayan Mishra, learned

counsel for the petitioner and Mr. Mukesh Kumar, learned

counsel for the Informant. The State is represented by Mr.

Rajballabh Singh, learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Majghaulia P.S. Case No. 105 of



2020 instituted for the offences under Sections 376, 511/34 of the Indian Penal Code.

The accusation against the petitioner is of having attempted to commit rape on the victim.

Learned counsel for the petitioner has submitted that there was a dispute with respect to cutting of the fodder and, therefore, he has been made accused in this case. The F.I.R. has been lodged after delay of two days and no explanation also has been given in the First Information Report regarding such delay. A panchayati also was held in the village in which it was suggested that the police should be informed about the factum of false implication of the petitioner in this case.

However, regard being had to the nature of accusation in the First Information Report, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the court below shall take into account all the above noted facts and shall pass orders in



accordance with law, without being prejudiced by the fact
that the present petition for grant of anticipatory bail has not
been entertained.

(Ashutosh Kumar, J)

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