

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2833 of 2021**

Arising Out of PS. Case No.-188 Year-2019 Thana- FATEHPUR District- Gaya

MITHLESH KUMAR @ MITHLESH YADAV, S/o Mahendra Yadav R/o
village- Bagodar, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena

For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 22-07-2021 Heard Mr. Anil Kumar Saxena, learned counsel

for the petitioner and Mr. Suman Kumar Singh, learned

APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Fathepur P. S. Case No. 188
of 2019, dated 22.08.2019, instituted for the offences
under Sections 376 (D) of the Indian Penal Code and
Section 6 of the POCSO Act, 2012.

The accusation against the petitioner and
another is of ravishing a young girl while she had gone
out to ease herself.

The learned counsel for the petitioner has



submitted there is a mis-match between the statement recorded under Section 164 Cr.P.C. and the F.I.R. and the injury report also does not fully support the ocular testimony.

However, regard being had to the nature of accusation against the petitioner for having raped a minor girl, I am not inclined to exercise my discretion for grant of anticipatory bail to him.

The prayer for anticipatory bail is rejected.

(Ashutosh Kumar, J)

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