

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12932 of 2021**

Arising Out of PS. Case No.-28 Year-2020 Thana- MAHILA P.S. District- Samastipur

1. MITHILESH KUMAR SON OF DEVENDRA RAI RESIDENT OF VILLAGE- SIMARI, P.S.- VIDYAPATI NAGAR, DIST- SAMASTIPUR.
2. RAKESH KUMAR @ BHULLA SON OF RAMADHAR RAI @ SHASHI KUMAR YADAV RESIDENT OF VILLAGE- SIMARI, P.S.- VIDYAPATI NAGAR, DIST- SAMASTIPUR ... Petitioners

Versus

THE STATE OF BIHAR ... Opposite Party

**Appearance :**

For the Petitioners : M/s Pawan Kumar, Adv.  
For the Opposite Party : Mr. Panchanand Pandit, APP

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

2      24-12-2021                      Heard Mr. Pawan Kumar, learned Advocate for the petitioners and Mr. Panchanand Pandit, learned Additional Public Prosecutor for the State.

Mr. Kumar has informed this Court that Mr. Subhash Candra Bose, Advocate, who had filed this application is no more. However, he presses this application on instructions from his office.

The application of petitioner no. 2 has become infructuous as he has surrendered during the pendency of this application. The application with respect to petitioner no. 2 is thus dismissed as having become infructuous.

So far petitioner no. 1 is concerned, he seeks bail in anticipation of his arrest in connection with Mahila P.S. Case No. 28 of 2020 dated 21.05.2020 instituted for the offences



under Sections 323, 34, 341, 376(D)(A), 504 and 506 of the Indian Penal Code and 4 of the Protection of Children from Sexual Offences Act, 2012.

Regard being had to the nature of accusation against him, I am not inclined to grant anticipatory bail to him.

The prayer for anticipatory bail of petitioner no. 1 is rejected.

**(Ashutosh Kumar, J)**

Shamshad/-

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