

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85465 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- MAHILA P.S. District- Nalanda

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JITENDRA KUMAR AKELA Son of Ramji Prasad Resident of
Village/Mohalla - Mohanchak Milki, P.S.- Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ritesh Kumar, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, APP
For the informant	:	Mr. Harendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-09-2021 Heard learned counsel for the petitioner, learned APP

for the State and learned counsel for the informant through

virtual mode.

The petitioner is apprehending his arrest in connection
with Mahila P.S. Nalanda case No.65 of 2019 registered under
Sections 498(A), 323, 376, 506/34 of the Indian Penal Code,
pending in the court of C.J.M., Nalanda at Bihar Sharif.

Allegation is that the husband of the informant
brought two unknown persons in order to outrage her modesty
and while committing rape by one of the person, the petitioner
prepared video and informed to the father and brother of the
informant.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Except for offence under Section 376 of I.P.C., rest of the offences are triable by the Magistrate.

On behalf of the State and the counsel for the informant, it is submitted that the petitioner is named in the F.I.R. The petitioner is the husband of the victim. At the instance of the petitioner, his wife was subjected to rape by unknown persons. A video was also recorded by this petitioner in respect of commission of rape by stranger.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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