

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6928 of 2022

Arising Out of PS. Case No.-91 Year-2021 Thana- MAHILA P.S. District- Araria

KAUSHAL KUMAR SINGH @ KAUSAL KUMAR S/o Ashok Singh R/o
village- Nanhi Tola, Ward No. 16, Gram Panchayat Lalpur, P.S.- Chatapur,
District- Supaul (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Adv. Mr. Anamul Haque
For the Opposite Party/s :		Mr.Rajendra Singh
For the Informant		Mr. Gopal Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Mahila P.S. Case no. 91 of 2021 instituted for the offence
punishable under Sections 363, 365, 376, 354(A), 341, 342, 385,
379, 34 of the Indian Penal Code.

As per allegation in the FIR, petitioner has committed
rape upon the informant. It is further alleged that when the
informant's parents approached the parents of the petitioner for
marriage, they denied.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. There is delay of about three months in lodging the FIR. This case has been filed in repercussion of earlier Complaint Case No. 818 of 2021 filed against the prosecution party by the petitioner's father.

Learned counsel for the informant and learned APP appearing for the State have opposed the prayer of bail and submitted that statement of victim-informant was recorded u/s 164 Cr.P.C. from which it is apparent that petitioner had taken away the informant forcefully and there is direct allegation of sexual exploitation against him.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of committing rape against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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