

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7953 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- THAKURGANJ District- Kishanganj

NIRWACHAN SINGH @ ROHIT KUMAR SINGH @ ROHIT SINGH SON
OF BRISH LAL SINGH RESIDENT OF VILLAGE- PANDARPUR,
JALALPUR, P.S.- POTHIA, DISTRICT- KISHANGANJ

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in connection with Thakurganj P.S. Case No.76 of 2021, registered for the offence punishable under Sections 376, 341, 323, 506/34 of the Indian Penal Code and section 4 of the POCSO Act.

Allegedly, the petitioner has committed rape upon the informant and threatened her to not disclose it to anyone and promised to marry her. Thereafter she got pregnant and she



came to know that the petitioner has married to another girl. When she went to the house of the accused, they assaulted on the abdomen of the informant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to local politics. No such occurrence, in the manner as alleged, has ever taken place. There is general and omnibus allegation against the petitioner. The victim is a major girl. There is no ingredient to attract the provisions of section 376 of the IPC.

Learned APP for the State opposed the prayer for anticipatory bail and submits that there is a serious nature of allegation against the petitioner.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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