

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12661 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- MAHILA PS District- East Champaran

Pradeep Yadav Son of Innerman Yadav Resident of Village - Tapsi Parsauna,
P.s.- Palanwa, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Motihari P.S.
Case No. 37 of 2021, registered for the offences punishable
under Sections 376(D)(A), 354(B), 341, 323 and 234 of the
Indian Penal Code and section 4, 6 and 10 of the POCSO Act.

As per the prosecution case, this petitioner along with
co-accused persons committed rape with the daughter of
informant.

It is submitted that petitioner has been falsely
implicated in this case. None of the witnesses examined during
course of investigation has supported the prosecution case. The
victim girl was medically examined, but no sign of rape was
found and there is delay in lodging of the FIR which falsifies the



prosecution case.

However, counsel for State vehemently opposed the prayer for bail and submitted that there is specific and direct allegation against this petitioner that he along with co-accused persons committed rape with the daughter of informant.

Considering the facts aforesaid, nature of accusation and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail.

Accordingly, the prayer for anticipatory bail is rejected.

(Prabhat Kumar Singh, J)

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