

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12638 of 2022

Arising Out of PS. Case No.-73 Year-2018 Thana- MAHILA P.S. District- Siwan

Nitesh Kumar S/o- Lal Babu Prasad Resident of Village- Satwar, P.S.- G.B. Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-08-2022 Heard both parties.

The petitioner apprehends his arrest in Siwan Mahila P.S. Case No. 73 of 2018, registered for the offences punishable under Sections 354, 323, 504, 506 of the Indian Penal Code.

As per the prosecution case on 13.10.2018 at about 10.00 pm at night while the informant was coming home after meeting one Atma Yadav a co-villager reached near the shop of one Rahul Kumar asked her whereabouts and with the help of one Nirbhay Upadhyay took her towards canal and committed rape, thereafter, called some other persons including the petitioners they too assaulted her badly, her mother came and took her to another villager.

Specific accusation of commission of rape is against co-accused Rahul Kumar and Nirbhay Upadhyay. So far as this



petitioner is concerned, he is only alleged to have assisted Rahul Yadav in commission of rape.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

