

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15394 of 2022

Arising Out of PS. Case No.-5 Year-2021 Thana- PANCHRUKHI District- Siwan

=====

DINESH YADAV Son of Sukar Yadav @ Pramatra Chaudhari Resident of
Village- Arjal, P.S.- Pachrukhi, District- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Syed Ehteshamuddin

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 363, 366A), 370, 34 of the Indian Penal Code.

As per the prosecution case, the allegation against petitioner is that he under a conspiracy with co-accused Saroj Devi and Upendra Bhagat, kidnapped the daughter of the informant and thereafter, committed rape upon her.

It is submitted on behalf of petitioner that though, there is allegation of commission of rape, but doctor has not found any sign of rape and assessed the age of the victim between 18-19 years.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific and direct allegation against this petitioner of committing rape, which fact has also



been supported by the victim girl in her statement recorded under Section 164 Cr.P.C.

Considering the aforesaid facts and circumstances as well as statement of the victim recorded under Section 164 Cr.P.C., I am not inclined to extend the privilege of anticipatory bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

anay/-

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

