

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30611 of 2022

Arising Out of PS. Case No.-325 Year-2020 Thana- BAUNSI District- Banka

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KANHAIYA YADAV Son of Late Bangali Mahto Resident of Village -
Rohini Azan Tola, P.S.- Jasidih, District – Deoghar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh

For the Opposite Party/s : Mr.Rajendra Singh
=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Bounsi P.S. Case No.325 of 2020, registered for the offences punishable under Sections 366(A), 376, 323 and 504 of the Indian Penal Code as well as under Section 4 of the POCSO Act.

The petitioner is said to have committed rape upon the daughter of the informant on the pretext of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.



Learned APP for the State opposed the prayer for anticipatory bail of the petitioner and submitted that this anticipatory bail application is not maintainable as the process under Sections 82 and 83 have already been initiated.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Anjani Kumar Sharan, J)

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