

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37949 of 2022

Arising Out of PS. Case No.-361 Year-2019 Thana- RAJAOLI District- Nawada

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SURAJ RAJVANSHI @ SURAJ KUMAR Son of Manu Rajvanshi Resident
of village - Hardiya, P.S.- Rajauli, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anand Kishore Sinha

For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 30-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Rajauli P.S. Case no. 361 of 2019 instituted for the offence punishable under Sections 354(B)/34 of the Indian Penal Code.

It is a case of outrage the modesty and committing rape with the informant's daughter while she was returning from Mela.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. The informant and petitioner are co-villagers due to which he has falsely been implicated in this case.



Learned APP appearing for the State has opposed the prayer of bail and submitted that victim stated in her statement recorded under section 164 of Cr.P.C. that this petitioner did indecent work and committed rape with her and this fact is mentioned in impugned order.

Having heard learned counsel for the parties and taking into consideration that the direct allegation of committing rape with the informant's daughter is against petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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