

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6236 of 2021

Arising Out of PS. Case No.-251 Year-2020 Thana- GOVINDGANJ District- East
Champaran

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RUPESH KUMAR PANDEY Son of Roos Pandey @ Ashwani Pandey
Resident of Village - Bariariya (Purab Tola), P.S.- Sangrampur, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyanka Singh, Advocate

For the Opposite Party/s : Mr. Anand Kishore Chaudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 11-01-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking given in the instant case for depositing
the requisite court fee and to remove the defect(s) as pointed out
by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in connection
with Govindganj P.S. Case No. 251 of 2020 registered for the
offences punishable under Sections 341, 376, 420, 504, 506 and
323/34 of the Indian Penal Code, which is pending before CJM,
East Champaran at Motihari.

It is a case of committing rape with the informant by
the petitioner, namely, Rupesh Kumar Pandey.



It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there was consented sexual relation between the informant and the petitioner.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

From perusal of the case diary, it is apparent that the victim in her statement recorded under Section 164 of the Cr.P.C., has supported the prosecution case stating that the petitioner made forcibly sexual relation without her consent several times, as such, it is not a fit case for grant of anticipatory bail. Prayer for anticipatory bail is rejected.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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