

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68258 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- MAHILA P.S. District- Araria

CHHOTU SAH @ AMIT SAH S/o Late Ramjee Sah Resident of Village -
Jogbani, Mohalla - Indranagar, Ward No. -10, P.S. - Jogbani, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

The petitioner is apprehending his arrest in Araria Mahila
P.S. Case No. 08 of 2020 registered under Section 376/506 of
the Indian Penal Code.

Allegation against the petitioner is of commission of rape
upon the informant/victim several times.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been falsely implicated in the present case. The



victim is aged about 30 years whereas the petitioner is hardly 22 years of age. For an ulterior motive, the present case has been instituted.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. The victim in her statement recorded under Section 164 of the Cr.P.C. has supported the allegation made in the FIR.

Considering the nature of accusation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner is rejected.

If the petitioner surrenders in the court below and seeks regular bail, the same shall be considered on its own merit without being prejudice by this order.

(Sudhir Singh, J)

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