

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4876 of 2023

Arising Out of PS. Case No.-56 Year-2022 Thana- MAHILA P.S. District- Saran

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AVINASH @ AVINASH KUMAR S/O BRAJ BIHARI PRASAD Resident of
Village- Ramdihra, P.S.- Gadhani, Shivpur, District- Aara (Bhojpur).

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Saran Mahila P.S. Case No.56 of 2022, registered for the offences punishable under Sections 376 and 506 of the Indian Penal Code.

Accusation against the petitioner is of committing rape upon the victim girl.

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 criminal antecedents as stated in paragraph-3 of the bail petition. It is further submitted that the statement of victim girl was recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case. It is also submitted that earlier also father and



brother of the victim girl has lodged cases against the petitioner in which the police submitted final form. It is further submitted that a Zero FIR No.04/2022 dated 18.05.2022 was registered by the victim girl at P.S. Burari and the aforesaid Zero FIR was transferred to Saran Mahila P.S. for institution of FIR.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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