

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14297 of 2023

Arising Out of PS. Case No.-45 Year-2022 Thana- MAHILA P.S. District- Samastipur

Rupesh Kumar @ Rupesh Paswan Son Of Ram Lal Paswan R/O Village-
Behat, P.S.- Sindhiya, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Samastipur Mahila P.S. Case No. 45/2022 registered for the offences punishable under Sections 376(D), 341, 504, 506 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offence Act. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that she had gone to nature's call then Nagmani Mukhiya and Rupesh Kumar on the gun point have brought her to the orchard and committed rape and made video.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the F.I.R. has been lodged after 21 days of



the alleged occurrence.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

On perusal of the First Information Report, it appears that this petitioner has been specifically named by the victim who is herself informant of the case. It is alleged that this petitioner had on pistol point repeatedly committed rape with the informant and prepared her video. The allegations are serious and heinous in nature, this Court finds no merit in this application.

The privilege of anticipatory bail cannot be granted in such cases.

This application is dismissed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

