

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28866 of 2023

Arising Out of PS. Case No.-4 Year-2010 Thana- ATRI District- Gaya

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Pappu Yadav @ Pappu Kumar Son of Balbir Yadav @ Balbir Prasad R/O-
Jamalchak, P.S.-Atri, Distt.-Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Atri P.S. Case No. 04 of 2010 registered for the offences punishable under Sections 341, 323, 376, 511, 34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the allegation against the petitioner is that he tried to commit rape on the sister of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.



6. Having regard to the fact that the petitioner has moved for grant of anticipatory bail 12 years after he was named in the first information report, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

7. Learned counsel for the petitioner submits that cognizance has been taken recently on 26.02.2022 under various provisions of IPC but no material was found to support the allegation under Section 376/511 IPC.

8. In that view of the matter, this Court directs that in case the petitioner surrenders and prays for regular bail within four weeks from today in the court below, the learned court below shall consider his prayer for regular bail on its own merit without being prejudice by the order of this Court.

9. This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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