

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30463 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- MAHILA PS District- Buxar

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Dinesh Mishra @ Dinesh Kumar Mishra Son Of Nand Jee Mishra Resident
Of Village-Coat Majharia, Ps-Anjorpur, Dist-Baliya Up

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mirityunjay Kumar

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 376 of the
Indian Penal Code.

3. Petitioner is said to have committed rape with the
informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that occurrence took place on 08.10.2022 but
the FIR has been lodged on 20.01.2023 after delay of 3 months
and 12 days without explaining any reasonable cause of delay.
He further submits that petitioner has no criminal antecedent as
stated in para-3 of this application.

5. Learned APP for the State opposing the prayer



for bail submits that the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has supported the prosecution case.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Mahila P.S. Case No. 03 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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