

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37296 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- BARIYARPUR District- Munger

Rohit Kumar Son Of Ramashish Yadav Resident Of Village - Kajichak, P.S. -
Bariyarpur, District - Munger

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sevak Choudhary

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 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 Sections 376/414 of the Indian Penal Code.

3. Petitioner is said to have committed rape with the informant on the pretext of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the allegation against the petitioner has not been corroborated with the medical report. He submits that the informant failed to file any document with the written report in support of her allegation. 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 victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

6. Considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Bariyarpur P.S. Case No. 56 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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