

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43122 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- UDAKISHUNGANJ District- Madhepura

Bipin Kumar @ Saklu @ Bipin @ Suklu S/O Harikrishna Mahto @
Harekrishna Mahto R/O Village- Teldiha (MAHESHUA), Ward No-20, Ps.
Udakishunganj, Dist. Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr. Pawan Kumar, Adv.

For the Opposite Party/s : Mr.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned senior 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 376/302 of the Indian Penal Code and Section 4 of the POCSO Act.

3. Petitioner is said to have committed rape with the daughter of 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 06.02.2023 but the FIR has been lodged on 25.02.2023 after delay of 20 days without explaining any reasonable cause of delay. He submits that younger sister and cousin sister of the deceased gave their statement under Section 164 of the Cr.P.C. before the learned



court below on 18.04.2023 but both have neither identified the petitioner nor taken the name of the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

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 Udakishunganj P.S. Case No. 50 of 2023.

(Anjani Kumar Sharan, J)

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