

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56575 of 2022

Arising Out of PS. Case No.-102 Year-2022 Thana- RUDRAPUR District- Madhubani

SHANKAR KUMAR MUKHIYA @ SHANKAR MUKHIYA Son of Shri
Badri Mukhiya Resident of Village - Usarar, (Haradi), P.S.- Rudrapur, District
- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 20-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends arrest in connection with
Rudrapur P.S. Case No. 102 of 2022 registered for the offence
under section 420, 376/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has not committed any offence as alleged in the first
information report and he has been falsely implicated in this
case due to village politics. In medical examination, no evidence
of sexual assault was found. Petitioner has no criminal
antecedent.

Learned Adll. P.P. appearing for the State opposes
the prayer for bail and submits that petitioner is named accused



and there is direct allegation against him. The victim in her statement under section 164 Cr.P.C. has stated that the petitioner made sexual relation with her and later on declined to solemnize marriage with her. The petitioner, therefore, does not deserve to be granted the privilege of anticipatory bail.

Considering the nature of allegations levelled and the submissions advanced on behalf of the parties, this Court is not inclined to grant bail to the petitioner. His prayer for bail is, accordingly, rejected.

(Arvind Srivastava, J)

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