

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72876 of 2022

Arising Out of PS. Case No.-61 Year-2021 Thana- MAHILA P.S. District- Samastipur

Rambabu Yadav Son of Upendra Yadav R/o Village Lakshminiya, P.O. Sonsa,
P.S. Singhiya, Distirict Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Bikram Deo Singh, Advocate Mr. Gajendra Prasad Yadav, Advocate
For the State	:	Mr. Madhura Nand Jha, APP
For the Informant	:	Mr. Dilip Kumar Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-07-2023 Heard learned counsel for the petitioner, learned APP

for the State as well as learned counsel appearing on behalf of

the informant.

2. Petitioner apprehends his arrest in connection with

Women P.S. Case No.61 of 2021, registered for the offence

punishable under Sections 376, 452 and 506 of the Indian Penal

Code as well as Section 27 of the Arms Act.

3. Accusation against the petitioner is of committing

rape upon the informant on the point of pistol.

4. Learned counsel for the petitioner submits that

petitioner is innocent and has falsely been implicated in the

present case. The petitioners has got no criminal antecedent as

stated in paragraph-3 of the bail petition. It is further submitted



that though the victim has supported the prosecution case in her statement recorded under Section 164 Cr.P.C., but the Medical Board has not found any sign of sexual assault upon the informant.

5. Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

6. Taking into consideration the nature of offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

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

(Anjani Kumar Sharan, J)

S.KUMAR/-

U		T	
---	--	---	--

