

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39549 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- MAHILA PS District- East Champaran

Guddu Kumar @ Guddu Sahni Son of Krishna Sahani Resident of village -
Bhataha, P.S.- Muffasil, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amrita Kumari Daughter of Pappu Sahani Resident of village - Bhataha,
P.S.- Muffasil, District - East Champaran, Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 25-09-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Mahila Police Station Case No. 07 of 2024, dated
06.03.2024, disclosing offences under Sections 376 and
506 of the Indian Penal Code and Section 4 and 6 of the
Protection of Children from Sexual Offences Act.
3. The prosecution case, as per the First Information Report,
is that on 06.03.2024, while the informant was outside,
the petitioner took her forcibly to a nearby hut and
disrobed her. Upon alarm being raised, the petitioner
threatened to kill and committed rape upon her. In the
meanwhile, the parents of informant came searching for



the informant and upon such the petitioner fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and has falsely been implicated in the present case due to previous enmity. He next submits that the statement of the informant-victim girl recorded under Section 164 of the Code of Criminal Procedure is very contradictory from the First Information Report. He further submits that in the medical report no sign of rape has been found by the doctor.
5. Having regard to the submissions made on behalf of the parties and taking into consideration nature of offence and the fact that there is specific allegation against the petitioner and the informant-victim girl has supported the prosecution story in the statement recorded under Section 164 of the Code of Criminal Procedure, I am not inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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