

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57036 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- MAHILA P.S. District- Araria

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Dinesh Paswan @ Dinesh Kumar Paswan SON OF SUGAN LAL PASWAN
@ SUGANAND PASWAN Village -Sonamani Gudam, PS- Kursakanta,
District -Araria Petitioner/s

Versus

1. The State of Bihar
2. Shastri Kumari DAUGHTER OF SHYAM LAL PASWAN VILLAGE- Sikti
Ward No. 10, Panchayat Muraripur, PS -Sikti, District -Araria
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Adv.
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection with
Mahila P.S. Case no. 15 of 2024 instituted for the offence under
Sections 341, 328, 376, 504, 506, 509/34 of the Indian Penal
Code.

3. As per prosecution case, petitioner is brother-in-law
(*devar*) of the sister of the informant and he used to keep evil eyes
upon the informant. When her sister was away from her house in
order to visit a doctor, petitioner prepared tea and mixed
intoxicated material and offered it to the informant when she was
alone at house. After getting deep sleep, she was raped by the
petitioner and also take her nude photographs.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Petitioner is a para-medical student and was not present at the house on the alleged date of occurrence. There is delay of about five months in lodging the FIR. He further submits that a compromise has been reached between the parties. Petitioner has got no criminal antecedent.

5. Learned APP appearing for the State has opposed the prayer of anticipatory bail of the petitioner on the ground that despite the close relative, petitioner has committed heinous crime with the informant. Victim/informant has also supported her case in her statement recorded u/s 161 and 164 Cr.P.C..

6. Considering the heinous allegation of rape against the petitioner, which is corroborated by the informant in her evidence, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Sunil Dutta Mishra, J)

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