

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7688 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- PIYAR District- Muzaffarpur

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Rakesh Kumar S/O Ram Bharos Mahto Resident of Village - Ajitpur @
Harpur, P.S- Piyaar, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Kumari D/O Shambhu Mahto Resident of Village - Simra, P.S-
Piar, Dist- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 27-03-2025 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 Piar Police Station Case No. 186 of 2024, dated
31.10.2024, disclosing offences under Sections
127(2)/127(3)/64/351(2)/3(5) of the Bhartiya Nyaya
Sanhita.
3. The prosecution case, as per the First Information Report,
is that the informant became friend with one Pappu
Kumar 5 to 6 months back. On 25.10.2024, while the
informant was going to college, in the meanwhile, co-
accused Pappu Kumar called his friend Rakesh Kumar i.e.



the petitioner. Both the petitioner and co-accused Pappu Kumar asked the informant to sit on the motorcycle saying that they would drop her at the college, however, instead of the college, they took the informant to hotel and served cold-drink. After consuming cold-drink, the informant became unconscious and when she regained her consciousness, she noticed that blood was coming out from her private parts. The accused persons then left the informant at Simra Chowk and threatened her not to disclose the incident to her family members. Subsequently, the informant disclosed this fact to her elder sister, namely, Kiran Devi, as such, the present First Information Report has been lodged.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case merely because he happens to be the friend of co-accused Pappu Kumar, with whom the informant had developed friendship. There is no specific allegation against the petitioner that he committed rape upon the informant, who is a major girl. He next submits that the medical examination of the victim girl has not been conducted by the police. There is delay in lodging the First Information



Report inasmuch as the occurrence took place on 25.10.2024, however, the First Information Report has been lodged on 31.10.2024.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner is specifically named in the First Information Report, 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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