

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10563 of 2015

Arising Out of PS.Case No. -4798 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Hamid @ Abdul Hamid S/o Nazrul Haque resident of village-
Dansar kohila Tola, p.s. Dagarua, Dist- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick

For the Opposite Party/s : Mr. Amrendra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 19-03-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 4798 of 2012 registered for the offence
under Sections-376 & 313 of the Indian Penal Code.

No doubt, the petitioner has been made an accused
in a complaint case but there is specific allegation of rape against
him. However, it is contended on behalf of the petitioner that
much prior of filing of the present complaint case, the petitioner
had filed complaint case against the complainant and her family
members and as a matter of fact, in retaliation to the aforesaid
complaint case, the complainant has filed the present case against

the petitioner.

Regard being had to the facts and circumstances as well as submission of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioner and accordingly, prayer for anticipatory bail of the petitioner in connection with Complaint Case No. 4798 of 2012 pending in the court of Chief Judicial Magistrate, Purnea/concerned court stands rejected.

However, this order shall not cause any prejudice to the learned court below at the time of consideration of regular bail application of the petitioner.

(Hemant Kumar Srivastava, J)

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