

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44740 of 2016

Arising Out of PS.Case No. -187 Year- 2016 Thana -KORHA District- KATI HAR

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Md. Jahur S/o Late Md. Atwari R/o Village Musapur, Teentopara, P.S.-
Korha, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Korha
P.S. Case No.187 of 2016 for the offence registered under section
376 of the Indian Penal Code.

The allegation of rape is supported by the informant in
her statement recorded under Section 164 of the Cr.P.C.

Learned counsel for the petitioner submits that in medical
examination, no sign of rape was found on the person of the
informant but according to the prosecution case itself, the alleged
occurrence took place on 8.8.2016 and the informant was
medically examined on 10.8.2016, i.e., after two days of the
alleged occurrence.



Considering the aforesaid facts and circumstances as well as submissions of the parties, I am not inclined to extend the privilege of anticipatory bail to the petitioner. Hence, his prayer for anticipatory bail in connection with Korha P.S. Case No.187 of 2016 pending in the court of C.J.M., Katihar stands rejected. However, the regular bail application of the petitioner shall be considered by competent court on its own merit without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

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