

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43176 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -MAHILA PS District- DARBHANGA

Pentor, Son of Md. Idris, resident of Village- Malpatti, P.S.- Kamtaul,
District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi, Adv.
For the Opposite Party/s : Mr. Pankaj Kr. Das, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 05-10-2016

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Section 376/34 and some other allied offences under the Indian Penal Code as also under Section 4/6 of The Protection of Children from Sexual Offence Act, 2012.

Taking into consideration the fact that the petitioner is specifically named in the F.I.R. vide Annexure-1 as an accused and also taking into consideration the fact that he is specifically alleged to have committed rape upon the victim and further taking into consideration the fact that the victim is a minor girl aged about 13 years, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail in connection with Darbhanga Mahila P.S. Case No. 08 of 2016, pending in the court of learned 1st Additional Sessions Judge cum Special Judge, POCSO Act, Darbhanga, and accordingly, his prayer for anticipatory bail is rejected.

However, if the petitioner surrenders in the court below within a period of four weeks from today and applies for regular bail, then the same shall be considered and decided on its own merit without being prejudiced by the present order.

(Birendra Prasad Verma, J)

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