

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11932 of 2016

Arising Out of PS.Case No. -207 Year- 2015 Thana -AMAU District- PURNIA

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Aslam S/o Shamsuddin resident of village - Bagdhar, P.S. - Amour, Distt. - Purnia.

.... Petitioner/s

Versus

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. Ramesh Chandra(APP)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 18-03-2016

The petitioner apprehends his arrest in a criminal prosecution registered under Section 376/34 of the Indian Penal Code.

Taking into consideration the fact that the petitioner is specifically named in the F.I.R vide Annexure-1 as an accused and further taking into consideration the fact he is the main culprit and he is alleged to have committed rape upon the informant and also taking into consideration the fact that during the course of investigation, witnesses have supported the prosecution version, which find mentioned in the impugned order passed by the learned Sessions Judge, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Accordingly, his prayer for anticipatory bail in connection with Amour P.S. Case No. 207 of 2015 pending in the Court of learned Judicial Magistrate, 1st Class, Purnia, is hereby 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.

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(Birendra Prasad Verma, J)