

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11684 of 2016

Arising Out of PS.Case No. -48 Year- 2015 Thana -MAHILA PS District- GAYA

Sanjeev Kumar @ Sanjeev Paswan Son of Sanjay Paswan, Resident of
Village- Gwal Bigha, PS Rampur District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Singh

For the Opposite Party/s : Mr. Pradeep Narain Kumar(APP)

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-03-2016

Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 376/323/34 of the Indian Penal Code.

Taking into consideration the fact that the petitioner is said to be the main culprit for commission of crime of rape upon the prosecutrix and further taking into consideration the fact that the victim in her statement recorded under Section 164 Cr. P.C. vide Annexure-2, has supported the prosecution version, 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 Mahila P.S.Case No. 48 of 2015 pending in the Court of learned Chief Judicial Magistrate, Gaya, is hereby rejected.

However, if the petitioner surrenders in the court below within a period of one month 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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