

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11682 of 2016

Arising Out of PS.Case No. -422 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

Suman Kumar Poddar @ Suman Kumar Son of Babu Saheb Poddar
Resident of Village- Baruara, PS Bahadurpur District Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.APP)

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-03-2016

Heard.

The petitioner apprehends his arrest in a criminal prosecution registered under Sections 376, 313 and some other allied offences under the Indian Penal Code as also under Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Taking into consideration the fact that the petitioner is specifically named in the F.I.R vide Annexure-1 as an accused and he is the main culprit who committed the crime of commission of rape upon the prosecutrix, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of anticipatory bail. Consequently, his prayer for anticipatory bail in connection with Bahadurpur P.S.Case No. 422 of 2015 pending in the Court of learned Chief Judicial Magistrate, Darbhanga, 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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