

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6467 of 2015

Arising Out of PS.Case No. -1 Year- 2012 Thana -BALRAMPUR District- KATIHAR

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Manzoor Ali Son of Muslim Ali R/o village- Hakim Nagar, P/S.
Balrampur, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 08-03-2016 Heard learned counsel, appearing on behalf of the

petitioner, and the learned Addl. Public Prosecutor, appearing on

behalf of the State.

This application for grant of anticipatory bail arises out of

Balrampur P.S. Case No. 01/2012, disclosing offences under

section 376 of the Indian penal Code.

The petitioner is the father of the prosecutrix.

It is submitted on behalf of the petitioner that the police

had investigated the case and found the allegation to be false in the

report submitted under section 173 of the Code of Criminal

Procedure. Learned Judicial Magistrate has, however, differed

with the police report and has taken cognizance and this is how the

petitioner apprehends his arrest.

Considering the gravity of the offence, I do not find this

case to be fit one, in which the petitioner can be granted privilege of anticipatory bail.

This application is, accordingly, rejected.

The petitioner is directed to appear before the court below within four weeks from today and seek regular bail, if so advised. If he does so, learned court below shall consider the regular bail application of the petitioner on its own merit, without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

Surendra/-

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