

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58432 of 2015

Arising Out of PS.Case No. -177 Year- 2015 Thana -SALKHUA District- -

Sarfaraz Alam @ Md. Sarfaraz Alam @ Sarfaraj Alam Son of Md. Mazhar Alam Resident of Village - Bhada, P.S.- Sour Bazar, District - Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.

For the Opposite Party : Mr. Ram Shankar Das, APP.

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 29-01-2016 Heard learned counsel for the petitioner and the learned
Spl. PP.

Petitioner apprehends his arrest in a case filed under Sections 354, 341, 323, 379, 504, 506 and 34 of the Indian Penal Code, Section 12 of POCSO Act and Sections 13 (1)(x) of the SC/ST Act.

It is contended on behalf of the petitioner that there is allegation of dirty act in the first information report which has been lodged by the father of the victim girl. However, in Section 164 statement the girl has not indicated towards it and has merely stated that the petitioner has caught her hand.

Learned Spl. PP has submitted that the recording of Section 164 statement after eight days, itself goes to show that

such statement has been made under some pressure.

Be that as it may, in view of the nature of allegation made in the first information report, this Court is not inclined to grant privilege of anticipatory bail to the petitioner above named. Accordingly, this application is dismissed.

However, if the petitioner surrenders and seeks regular bail within a period of four weeks, then let the matter of bail be considered and disposed of in accordance with law without being prejudiced by the present order.

(Dr. Ravi Ranjan, J.)

KKSINHA/-

U		T	
---	--	---	--