

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54612 of 2016

Arising Out of PS.Case No. -113 Year- 2010 Thana -VAISHALI District- VAISHALI(HAJIPUR)

=====

Rajeev Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-01-2017 The petitioner is apprehending his arrest in connection with Vaishali P.S. Case No. 113 of 2010, registered for offences punishable under Sections 376/511 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though there is allegation against the petitioner under Section 376/511 of the Indian Penal Code, however the witnesses during the course of enquiry has not supported the case of prosecution. It has further been submitted that the petitioner has been implicated in this case only on the basis of previous enmity and there is also existing land dispute between the parties and the Dy. Superintendent of Police in his supervision note has found the case to be untrue, however, the Superintendent of Police has ordered for submission of charge-sheet.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, the nature of offence and also the fact that there is direct allegation against this petitioner, I am not inclined to grant the petitioner the privilege of anticipatory bail, it is accordingly rejected.

However, if the petitioner surrenders before the Court below and pray for regular bail, his application shall be considered by the court below on its own merit, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

sunil/-

U			
---	--	--	--

