

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2749 of 2017

Arising Out of PS.Case No. -102 Year- 2016 Thana -MAHILA P.S. District- MADHUBANI

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Pankaj Kumar Singh @ Pankaj Singh S/o- Nand Singh @ Nandeswer Singh, resident of Village- Hanuman Nagar, P.S.- Khutauna, District- Madhubani.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 Heard learned counsel for the appellant and learned Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Madhubani Mahila P.S. Case No. 102 of 2016, corresponding to G.R.No. 2521 of 2016, registered for the offences punishable under Sections 376-D of the Indian Penal Code and 3(i)(w) and 3(ii)(va) of SC/ST Act, including 67(KA) of I.T.Act and for setting aside the order dated 17.6.2017 passed by ^t Additional Sessions Judge, Madhubani.

Allegation against the appellant is of attempting to commit rape upon the informant.

Submission of learned counsel for the appellant is that victim lady has not named any person in her statement under



Section 164 Cr.P.C. and he has falsely been implicated in this case.

Learned Special P.P. has opposed the prayer for pre-arrest bail on the ground of maintainability.

Having heard both sides and in view of allegation, this appeal is not maintainable.

Let appellant, above named, surrender and pray for regular bail, which will be considered by learned Special Judge on the basis of submission made above as well as materials available on record and he will pass an appropriate order without being prejudiced by this order.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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