

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5607 of 2016

Arising Out of PS.Case No. -116 Year- 2015 Thana -BITHAN BAZAR District- SAMASTIPUR

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Sanjay Kumar Bharti @ Sanjay Bharti, S/o Rajendra Yadav, Resident of
Village- Karanchi Ram Nagar Tola, P.S.- Bithan, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. M.Haque (APP)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

9 06-04-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 376, 323,
504 and 506/34 of the Indian Penal Code.

Allegation against the petitioner is that he was in
physical relationship with the informant by threatening her of dire
consequences including death.

Submission of the petitioner is that there is no
explanation for delayed information to the police and no
information to anyone during several acts of sexual assault and
after interval of long period the present case has been lodged.

Learned counsel for the informant has opposed the



prayer for bail.

Since the informant is minor, hence, considering the aforesaid allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail in connection with Bithan P.S. Case No.116 of 2015 pending in the court of learned Judicial Magistrate-1st Class, Rosera, Samastipur is rejected.

However, the prayer for regular bail of the petitioner shall be considered on its own merit without being prejudiced by the present order.

(Birendra Kumar, J)

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