

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36772 of 2017

Arising Out of PS.Case No. -76 Year- 2017 Thana -SINGHIYA District- SAMASTIPUR

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1. Md. Nehal Son of Abdul Zabbar, R/o Village- Salepur, Tola-Balha. P.S.-
Sighia, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 08-09-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Singhia Police Station Case No. 76 of 2017, disclosing offences under Sections 376 of the Indian Penal Code and Section 4 of the Protection of Children From Sexual Offence Act, 2012.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the victim was examined by the medical board in which the age of victim was assessed to be 17-18 years and no sign of rape has been found rather the Board has opined that the victim is habitual, which is evident from



annexure-2. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail and submitted there is direct allegation of commission of rape on the victim against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is hereby rejected.

(Arvind Srivastava, J)

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