

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63806 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- MAHILA P.S. District- Sheikhpura

Rahul Kumar @ Rahul Tiwary, Son of Pramod Tiwari, Resident of Village-
Samas Bujurg, P.S.- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Anuj Kumar Srivastava

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Sheikhpura Mahila P. S. case no. 37/2018 (POCSO case no.
36/2018 registered under sections 341, 354, 452, 376 of the IPC
and section 4 of the POCSO Act.

There is specific allegation of rape against the
petitioner but submission on behalf of the petitioner is that the
victim in her statement recorded under section 164 Cr.P.C has
narrated a different story and she has not levelled allegation of
rape against the petitioner.

Considering the aforesaid facts and circumstances as
well as submissions of the parties, I do not think it proper to



extend the privilege of anticipatory bail to the petitioner and accordingly, his petition stands dismissed. However, this order shall not cause any prejudice at the time of consideration of regular bail application of the petitioner.

(Hemant Kumar Srivastava, J)

s.hassan/-

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