

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11947 of 2018

Arising Out of PS.Case No. -188 Year- 2009 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Sumit Kumar, Son of Prem Bihari Srivastava.
2. Dhiraj @ Dhiraj Kumar @ Dhiraj Kumar Srivastava, Son of Bipin Prasad Srivastava @ Bipin Prasad Shrivastwa, Both Resident of Village- Panditpur, Police Station- Paharpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-04-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Paharpur P.S.Case No.188 of 2009, registered for offences punishable under Sections 306, 376, 448, 504 and 34 of the Indian Penal Code.

Allegation against the petitioner is of co-operating the other accused persons in committing rape due to which the victim girl has committed suicide.

Submission of the learned counsel for the petitioner is that nothing specific has been attributed against the petitioner rather it is stated that when the family members of the victim went to make complaint of the same, they have been assaulted. Further



submission is that another co-accused persons has been granted privilege of the anticipatory bail by this Court, vide order dated 23.5.2011 passed in Cr. Misc. No.1.6004 of 2011 and earlier the petitioner had filed a quashing petition, which was dismissed, vide order dated 16.11.2016 passed in Cr. Misc. No.2606 of 2014 and as such there is delay in filing the application for grant of anticipatory bail

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on the basis of submissions of the petitioner especially the fact that another co-accused person having similar allegation has been granted anticipatory bail.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

