

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56759 of 2018

Arising Out of PS.Case No. -22 Year- 2017 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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Upendra Singh, son of late Ramdular Singh, r/o village-Karup, P.S.-
Kargahar, District-Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. N. P. Sinha, Sr. Advocate
Mr. Yogendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 12-09-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Mahila (Bhabhua) P.S. Case No.22 of 2017** instituted for the offence under Section(s) 376 Indian Penal Code and Section 4 of the POCSO Act pending in the Court of the **Additional Sessions Judge, 1st, Kaimur at Bhabua.**

Prayer of the petitioner for bail was earlier rejected by this Court by order dated 04.10.2017 passed in Cr. Misc. No.40021 of 2017.

Petitioner has filed this second anticipatory bail application on the ground that one co-accused, Surendra Singh, faced trial in POCSO Trial No.15 of 2017 and he has been acquitted by judgment dated 21st March, 2018. Copy of judgment



of aforesaid case is enclosed as Anneuxre-3.

From perusal of the aforesaid judgment, it appears that Trial Court has mentioned that this petitioner was absconding during investigation and charge-sheet was submitted against other accused showing the petitioner as absconder.

Earlier application for grant of anticipatory bail was rejected on merit by this Court.

Therefore, this Court does not find any fresh ground to consider the prayer of the petitioner for grant of anticipatory bail.

Prayer of the petitioner for grant of anticipatory bail is, again, **rejected**.

Petitioner is directed to surrender before the Court below and seek regular bail, which shall be considered and disposed off by the Court below in accordance with law without being prejudiced by this order.

(Sanjay Priya, J)

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