

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61052 of 2018

Arising Out of PS. Case No.-174 Year-2018 Thana- BIBHUTIPUR District- Samastipur

Anil Kumar Singh @ Anil Kumar, Son of Uma Kant Singh Alias Uma Kant Prasad Singh, resident of Village Bhusvar, P.S. Bibhutipur District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 19-11-2018

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 offence punishable under Section 377 of the Indian Penal Code.

Allegation against the petitioner is that he committed unnatural offence against the FIR named person. The victim has supported the aforesaid allegation before the police.

Submission of the learned counsel for the petitioner is that the petitioner is local Sarpanch having no criminal antecedent and in fact the entire story has been cooked up at the instance of Anil



Mahto, the political rival of the petitioner. Moreover, the Medical Board did not find any sign or injury of any unnatural offence on the victim.

Considering the fact that the statement of the victim cannot be disbelieved at this stage for consideration of anticipatory bail, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Bibhutipur P.S.Case No.174 of 2018 pending in the court of learned Additional Chief Judicial Magistrate-1st, Rosera, Samastipur.

Prayer is refused.

Petitioner is directed to surrender within three weeks.

(Birendra Kumar, J)

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