

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42619 of 2018

Arising Out of PS.Case No. -43 Year- 2018 Thana -KATEYA District- GOPALGANJ

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1. Santosh Jaiswal, Son of Late Shivnath Jaiswal, Resident of Village-Samogar Police station- Kateya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mishra

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-07-2018 The petitioner is apprehending his arrest in connection with Kateya P.S. Case No. 43/2018, registered for offences punishable under Sections 341, 323, 376/511 and 354 of the Indian Penal Code.

Allegation against the petitioner is of attempt of committing rape upon the informant.

It has been submitted on behalf of the petitioner that the informant is Bhabhi of the petitioner and he has been falsely implicated due to the land dispute, which has been observed in the impugned order by the learned Additional Sessions Judge.

Heard learned A.P.P. also who opposed the prayer for anticipatory bail.

From perusal of the impugned order, it appears that



learned court below had directed the petitioner to surrender and make prayer for regular bail.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to the petitioner rather this Court also directs the petitioner to surrender before the court below and pray for regular bail, which would be considered on the materials available on the record and the court below shall try to pass an appropriate order on the same day.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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