

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7088 of 2019

Arising Out of PS. Case No.-175 Year-2018 Thana- BHAWANIPUR District- Purnia

MD. AMJAD, Son of Md. Samsul, R/o village- Bhangra, P.S- Bhawanipur,
Dist. Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr.Advocate with Mr.Vijay Anand, Ms.Preety Kunwar, Advocates
For the Opposite Party/s	:	Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Bhawanipur P.S. Case No. 175 of 2018, registered for the offences punishable under Section 376 of the Indian Penal Code and Section 4 of POCSO Act.

Allegation against the petitioner is of committing rape upon the informant, who is minor.

Submission of learned counsel for the petitioner is that there is contradiction in the FIR and the statement recorded under Section 164 Cr.P.C. and medical report does not support the same. Further submission is that the present case has been filed at the instance of one Jubair, who was an accused in murder case of the sister of the petitioner in order to create pressure upon him.



Heard learned APP also.

Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner.

However, if the petitioner surrenders and makes prayer for regular bail, the same shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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