

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11986 of 2019**

Arising Out of PS. Case No.-70 Year-2018 Thana- MAHILA P.S. District- Kishanganj

SAHANWAZ @ Md. SAHANWAZ ALAM Son of Khatro Mian Resident of
Village - Dubari Tola, P.S.- Korobari, Distt.- Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Umanath Mishra

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 29-04-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Mahila P.S.case No.70 of 2018 registered for offences punishable under Sections 376, 323, 504,34 of the Indian Penal Code and Section 4 of POCSO Act.

Allegation against the petitioner is of committing rape upon the minor girl.

Submission of the learned counsel for the petitioner is that the allegation is not supported in the medical examination and most the witnesses have also not supported the prosecution case and except the minor girl and her mother-, there are no other witnesses in this case.

Heard learned A.P.P. and the learned counsel for the informant.



Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below within a period of six 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 materials available on the record and if possible to be disposed of on the same day.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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