

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21236 of 2019

Arising Out of PS. Case No.-41 Year-2017 Thana- MAHILA PS District- Gaya

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PINTU KUMAR @ PINTU YADAV Son of Hare Ram Yadav, Resident of
Village- Ghosri, Police Station- Geloher, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr.Syed Asgher Najmi, Adv.
For the Opposite Party/s :		Mr.Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-05-2019 This application, for grant of anticipatory bail,

arises out of Gaya Mahila P.S. Case No. 41/17, disclosing

offences under Sections 376/34 of the Indian Penal Code.

Allegation against the petitioner and other accused
persons is of committing rape upon the informant.

Submission of learned counsel for the petitioner is

that he has falsely been implicated in this case and co-accused
Rakesh Kumar having similar allegation has already been
granted the privilege of anticipatory bail by a coordinate Bench
of this Court vide order dated 15.01.2019 passed in Cr. Misc.
No. 69865 of 2018.

Learned counsel for the State opposed the prayer

for bail and submitted that the case of co-accused Rakesh



Kumar is different from the petitioner and he has also taken the plea of alibi.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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