

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28342 of 2019

Arising Out of PS. Case No.-652 Year-2016 Thana- ARARIA District- Araria

MD. FIROZ Son of Ekbal @ Akbal Resident of Village - Gogra, P.S.- Jokihat,
Distt - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 30-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Araria (Bairgachhi) P.S. Case No. 652 of 2016, disclosing offences punishable under Sections 341, 342, 354B/34 of the Indian Penal Code.

It transpires that the police, upon completion of investigation, have submitted charge-sheet, finding allegation against the petitioner to be true. It is alleged in the First Information Report that the petitioner and other persons named in the First Information Report had forcibly taken away the informant's daughter with an intention to commit rape.

Learned Counsel appearing on behalf of the petitioner contends that since the petitioner has cooperated in course of



investigation and he was given benefit of Section 41-A of the Criminal Procedure Code, no tangible purpose to be served, if the petitioner is taken into custody after submission of charge-sheet. It has also been argued that there has been delay of four days in lodging of the First Information Report, for which there is no explanation on record.

However, considering the nature of allegation against the petitioner, I am not inclined to grant him the privilege of anticipatory bail. This application is, according, dismissed.

The petitioner is directed to surrender before the Court below within four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of the present application for grant of anticipatory bail by this Court.

(Chakradhari Sharan Singh, J)

Ashish/Ragini

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