

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78401 of 2018

Arising Out of PS. Case No.-24 Year-2017 Thana- MAHILA PS District- Khagaria

Sanjay Sharma son of Suresh Sharma resident of Village- Khirniya, P.S.
Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram, Advocate
For the Opposite Party/s : Smt Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-01-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Mahila P. S. Case No. 24/2017, G.R. No. 1346 of 2017, registered for offences punishable under Sections 376 (G) of the Indian Penal Code.

Allegation as per F.I.R. against the petitioner is that the petitioner put three naught on the neck of the informant and other accused person committed rape upon the informant and further alleged that the petitioner is accused in two other cases.

Submission of the learned counsel for the petitioner is that the petitioner has falsely been implicated in this case due to enmity and there is land dispute between the parties



and furthermore, he has been made accused earlier also due to land dispute. It has also been submitted that the final form has been submitted and cognizance has been taken in this regard.

Learned A.P.P. opposed the prayer for bail.

Learned A.P.P. opposes the prayer for bail on the ground that the nature of allegation is heinous in nature and in view of the facts and circumstances discussed above and all materials available on the record, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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