

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5913 of 2019

Arising Out of PS. Case No.-11 Year-2016 Thana- MAHILA P.S. District- Sitamarhi

Md. Zifran @ Md. Zafar S/o Late Nazir Sheikh @ Md. Najeer village-Talkhapur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-09-2019 Petitioner seeks bail in anticipation of his arrest in connection with Sitamarhi Mahila P.S. Case No. 11 of 2016 registered for the offences punishable under Sections 341, 323 and 376/34 of the Indian Penal Code.

As per FIR there is allegation against the petitioner is of committing rape upon the informant along with others.

Submission of learned counsel for the petitioner is that investigation is still going on against the petitioner and other accused is facing trial in which informant has been examined and she named this petitioner and other accused for commission of rape and that falsifies the prosecution case.

Heard learned APP, who has opposed the prayer for anticipatory bail stating that there is allegation against the petitioner in the FIR.



In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. However, if petitioner surrenders and prays for regular bail, the same shall be considered by the court below on the basis of materials available in the case diary as well as above submission of the petitioner while considering the bail application of the petitioner.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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