

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78359 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- MAHILA P.S. District- Purnia

Pradeep Kumar Poddar, Son of Lakhan Lal Poddar, R/o Nehru Chowk,
Dhamdaha, P.S.- Dhamdaha, District- Purnea.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-01-2019 Petitioner apprehends his arrest in connection with Mahila P.S.Case No. 35 of 2018 registered for the offences punishable under Sections 376, 354B and 34 of the Indian Penal Code.

Allegation as per FIR is that accused persons, including the petitioner has committed rape upon the informant one after another.

Submission of learned counsel for the petitioner is that prior to the present case a case has been lodged by the petitioner against the informant for not executing sale deed in spite of taking consideration money and proceeding under Section 107 Cr.P.C. was going on between them, due to that the present case has been filed and medical report does not support the prosecution case.



Heard learned APP also, who has opposed the prayer for anticipatory bail of the petitioner.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, rather petitioner to surrender and make prayer for regular bail, which shall be considered on the basis of materials available on record as well as submission of learned counsel for the petitioner and to be disposed of, if possible, on the same day.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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