

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4657 of 2018

Arising Out of PS. Case No.-113 Year-2018 Thana- MUSRIGHRARI District- Samastipur

Mithlesh Rai, Son of Soli Rai @ Surendra Rai, Resident of Village- Fatehpur,
Police Station- Musrigharari, District- Samastipur.

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Rana Sanjay Kumar Singh, Advocate
For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 04-02-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 19.11.2018 passed by Additional Sessions Judge-I, Samastipur, in A.B.P. No.2458 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Musrigharari P.S.Case No. 113 of 2018, registered under Sections 363, 354B, 34 of the Indian Penal Code, 8 of POCSO Act and Section 3(i)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including the appellant is of lifting minor daughter of the informant and when there was alarm they left the girl and fled away.

Submission of learned counsel for the appellant is that there is general and omnibus allegation and no specific allegation has been attributed against him and there is delay in lodging the FIR.

Heard learned Special P.P. and learned counsel for the informant. They have opposed the prayer for anticipatory bail on the ground that



appellant is named in the FIR and there is allegation against him of lifting minor daughter of the informant.

Having heard both sides and in view of allegation, I am not inclined to grant privilege of anticipatory bail to the appellant, rather he should surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

