

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76356 of 2019

Arising Out of PS. Case No.-229 Year-2018 Thana- BELDOUR District- Khagaria

MD. ANJAM @ MD. AJAM Son of Late Md. Abbas Resident of Village -
Kainjari, P.S.- Beldaur, District- Khagaria Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Mohammad Sufyan, Advocate

For the Opposite Party/s : Mr.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 06-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking anticipatory bail in connection with Beldaur P.S. Case No. 229 of 2018 registered for the offence punishable under Sections 376/34 of the Indian Penal Code and Sections 3 and 4 of Protection of Child from the Sexual Offences Act.

Learned counsel for the petitioner submits that there is no eye witness to the occurrence and only during investigation it has come that the petitioner was seen fleeing in the midnight and the petitioner has falsely been implicated in this case.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein there is direct allegation against the petitioner that he had committed rape on the victim girl and apart from her



statement under Section 164 Cr.P.C. there are also statement of witnesses who have allegedly seen the petitioner fleeing away from the alleged place of occurrence, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. His prayer is thus, refused.

In case the petitioner surrenders and prays for regular bail before the learned court below within a period of four weeks from today, his prayer for regular bail shall be considered on its own merit without being prejudiced by the present order.

(Rajeev Ranjan Prasad, J)

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