

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74531 of 2019

Arising Out of PS. Case No.-209 Year-2016 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Rahul Kumar @ Santan Son or Sri Laxmi Prasad @ Laxmi Narain Prasad
Resident of Village- Naili, P.S.- Magadh Medical, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 376 of the Indian Penal Code and Section 12 of the POCSO Act.

Earlier prayer for anticipatory bail was refused to the petitioner on 14.02.2017 with a direction to the petitioner to surrender within four weeks and pray for regular bail. A copy of the said order is at Annexure-1. The petitioner did not comply with the order nor challenged the same.

However, prayer has been renewed again on the ground that after investigation, police submitted final form. However, the learned Magistrate disagreed with the police



report and took cognizance.

Considering the fact that the allegation against the petitioner is of commission of rape against a minor girl, the Court was inclined to dismiss the application with heavy cost. However, submission is that the petitioner would surrender within ten days.

Hence, this application is dismissed as withdrawn in connection with Magadh Medical P.S.Case No.209 of 2016 pending in the Court of learned Additional Sessions Judge-I, Gaya.

(Birendra Kumar, J)

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