

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86667 of 2019

Arising Out of PS. Case No.-16 Year-2017 Thana- MAHILA P.S. District- Saran

Chandeshvar Ray

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 13-02-2020 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Mahila P.S. Case No. 16 of 2017 registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code.

The accusation against the petitioner is that he sexually assaulted to a six year old girl. Although, the police after investigation, submitted final form showing the accusation untrue but the learned court below differed with the findings of police and took cognizance for the offence punishable under section 376/511 of the Indian Penal Code.

Regard being had to the facts and circumstances of the case as well as submission of the parties, I am not inclined to



release the petitioner on anticipatory bail and accordingly, his prayer for bail in connection with Mahila P.S.Case No. 16 of 2017, pending in the court of Sub-Divisional Judicial Magistrate, Saran at Chapra stands rejected.

However, petitioner is directed to surrender before the court below within six weeks and, if he does so, and makes prayer for regular bail, the concerned court shall consider the regular bail application of the petitioner on its own merit without being prejudice by this rejection order, particularly keeping in mind, the material available on record against the petitioner.

(Hemant Kumar Srivastava, J)

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