

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32232 of 2015

Arising Out of PS.Case No. -2103 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Md. Mobin Akhtar Son of Late Anwarul Haque, resident of village
Giyandov, P.S. Amour, District Purnea.

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Nagma D/o Sk. Farid R/o Village Sehalo, P.S. Amour, District
Purnea.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Ziaul Quamar, Advocate
For the Complainant : Mr. Md. Anis Akhtar, Advocate
For the State : Mrs. Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 10-11-2015 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Complaint Case No.2103 of 2012 registered for
the offences under Section 376 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
present case has been lodged on the basis of some rivalry between
co-villager and himself. He wanted to purchase the land belonging
to the petitioner. It is further submitted that the lady who had
alleged was not produced for medical examination. He further
submits that the victim lady was woman of questionable character
and has been deserted by her husband twice and was living

separately with mother for the last ten years referring to various cases. He has tried to draw annexure between the other persons who had lodged cases against him and indicated in paragraph-3 of the petition and that the present complainant was but an associate of the informant of the previous cases.

Learned counsel appearing on behalf of the complainant submits that the complainant is a poor lady who has been exploited at the hands of the petitioner and that he is a man of questionable character having several criminal antecedents and in view of such circumstances, such a person be not extended the privilege of anticipatory bail.

Learned counsel appearing on behalf of the State after perusal of the material also submits that in fact the petitioner is having criminal antecedent and would not be entitled to privilege anticipatory bail by this Court.

Considering the facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner, which is accordingly, rejected.

(Anjana Mishra, J)

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