

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34525 of 2014

Arising Out of PS.Case No. -120 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

=====

1. Md. Gulzar S/o Late Md. Gafoor Resident of Village Dobha Tola,
Islampur, P.S. Rupouli, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Habina Khatoon

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sanjay Kr. Pandey (App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 16-02-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 323/34 and 376 of the I.P.C.

Allegedly the Complainant was assaulted for which
she was being treated and again the petitioner on 09.01.2013
caught hold the Complainant, causing threats and took away in the
maize field and committed rape.

Submission is that this case is based on a complaint
petition. There is no medical examination of the Complainant. The
Complainant has filed a petition that now she does not want to
proceed with the case. The petitioner is an old man of 58 years

having no criminal antecedent. The petitioner had voluntarily surrendered on 05.06.2014 and since then he is in custody.

The learned A.P.P. opposes prayer for bail.

Considering that against the petitioner there is specific allegation of committing rape with the Complainant and as such this Court is not persuaded to release the petitioner on bail. Accordingly, his prayer for bail stands rejected in connection with C. A. Case No. 120 of 2013 pending in the court of C.J.M. Purnea.

However, after examination of the Complainant the petitioner may renew his prayer for bail. The learned court below shall take all effective steps for examination of the Complainant as early as possible preferably within a period of four months.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--