

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48894 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -BAUNSI District- ARRARIA

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1. Ataur Rahman @ Khaja Son of Md. Farooque, R/o Naya Tola, Mirzapur,
P.S. - Bausi, Distrit - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shama Perween, Daughter of Md. Azim, resident of village - Nayatola,
Mirzapur, P.S. Bousi, District - Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad
For the Opposite Party/s : Mr. Pushpa Sinha(App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in a case under section
376 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
informant Shama Parween in fact did not allege any rape before
her cousin brother Khursheed who in fact persuaded her to lodge a
false case against him. He further submits that the victim girl in
her affidavit before the Court has not alleged the case of rape
against the petitioner.

In view of nature of allegation, I am not inclined to grant
anticipatory bail to the petitioner. His prayer for anticipatory bail
is rejected. If the petitioner surrender and pray for regular bail, the

same would be disposed of on the same day without prejudice and also taking into consideration the submissions made by the petitioner before this Court.

(Samarendra Pratap Singh, J)

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