

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24240 of 2016**

Arising Out of PS.Case No. -108 Year- 2015 Thana -SIMRI District- DARBHANGA

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Belal Ansari @ Md. Belal, son of Mumtaz Ahmad Ansari, resident of  
Village- Barhuliya, P.S.- Simri, District- Darbhanga.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Md. Nazir Ansari, Advocate

For the Opposite Party : Mr. Anuj Kumar Shrivastava, APP

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      11-07-2016                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in connection  
with Simri P.S. Case No. 108 of 2015 for the offences instituted  
under Sections 341, 376, 504 and 506/34 of the Indian Penal  
Code.

As per prosecution case, it is alleged that on 31.07.2015  
at about 9 P.M., in the night hour informant-victim had gone to  
perform her natural call, all of a sudden petitioner arrived and  
caught hold her hand and forcibly took her in field and committed  
rape and on her cry villagers assembled there and seeing them  
petitioner fled away but Mumtaj Naddaf alias Bedi the  
apprehended petitioner. The villagers assured her to settle the



matter through Panchayat and on 02.08.2015, Panchayat was organized but petitioner and his family members refused to settle the matter and went away giving threatening with dire consequences and while she along with her grand father was going to police station, accused persons surrounded and threatened not to lodge the case and out of fear she returned home.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. The alleged date of occurrence is 31.07.2015 and the FIR was instituted on 20.08.2015. The delay has not been explained by the prosecution. There is no medical examination report to support the allegations made in the FIR. The present case has been instituted for the reason that the petitioner had refused to marry the victim. There is a contradiction between the allegations made in the FIR and Section 164 of the Cr.P.C. statement of the victim.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with **Simri P.S. Case No.**

**108 of 2015** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Darbhanga**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

B.Kr./-

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