

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48703 of 2016**

Arising Out of PS.Case No. -60 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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Md. Sahazad Son of Washique Resident of Village Shyampur, P.S.- Palasi,  
District- Araria.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      19-12-2016                      Heard learned counsel for the petitioner as well as  
learned A.P.P. and the learned counsel for the informant.

The application is for grant of anticipatory bail for the  
offence under Sections 376, 506, 323, 341/34 of the Indian Penal  
Code.

It is submitted on behalf of the petitioner that he has  
been falsely implicated in this case as mother of the petitioner has  
lodged a complaint petition against the informant as well as others  
on 26.7.2016 and there are case and counter case.

It is further submitted that from the medical examination  
report it appears that at the time of occurrence, the girl was about  
15-17 years old and the FIR has been lodged on 03.08.2016.

It has also been submitted on behalf of the petitioner that



from perusal of the FIR itself, it appears that whole story is false.

Heard learned A.P.P. also as well as the learned counsel for the informant.

It has been submitted on behalf of the informant that there is direct allegation against the petitioner.

Having heard all the parties and in view of the fact that there is direct allegation against the petitioner, it is not a fit case for anticipatory bail, however, the petitioner is directed to surrender before the court below and the court below will consider the aforesaid facts and further considering the medical examination report and other facts of the case would pass appropriate order without being prejudiced of the order of this Court.

**(Vinod Kumar Sinha, J)**

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