

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45387 of 2016

Arising Out of Complaint Case No. -79(C) Year- 2016 Thana -COMPLAINT CASE District-
KISANGANJ

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1. Saidur Rahman @ Saidur son of Md. Muzhar Ali resident of Dahua,
Baibanna, P.S. - Kochadhaman, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Serina Khatoon D/o Irfan Ali R/o Dhahua, Bainbanna, P.S. -
Kochadhaman, District - Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Mohammad Shabbir Alam, Advocate
For the Opposite Party/s: Mr. Md. Anzarul Haque Sahara, APP
For the informant : Mr. Ashish Ghosh, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This is an application for anticipatory bail for the
offences under Section 376 of the Indian Penal Code.

The allegation against the petitioner is that he has
committed rape upon the victim girl.

It has been submitted on behalf of the petitioner that the
complaint case has been filed after the delay of 83 days from the
date of occurrence as well as there is no medical report to show
the alleged offence.

It has also been submitted on behalf of the petitioner that



as a matter of fact the victim girl wants to marry the petitioner and as he decline the same, the present complaint case has been filed.

Heard learned APP appearing for the State and the informant also, who opposed the prayer for anticipatory bail.

Having heard both sides and in view of the facts stated above, to my mind, this is not a fit case for grant of anticipatory bail. Accordingly, prayer of the petitioner is rejected. However, the petitioner is directed to surrender before the court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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