

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47561 of 2016**

Arising Out of PS.Case No. -28 Year- 2015 Thana -MAHILA P.S. District- ARRARIA

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1. Md. Sah Alam @ Sah Alam son of late Md. Ishal, Resident of Village-  
Indrapur Ward No. 12, Panchayat Rampur, P.S.- Chatapur, District- Supaul.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr. Matloob Rab, APP-34

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

2      14-12-2016                      Heard the learned counsel for the petitioner and the  
  
learned A.P.P. representing the State.

The petitioner seeks anticipatory bail in connection  
with Araria (Mahila) P.S. Case No. 28 of 2015 registered for the  
offence punishable under Section 376 of the Indian Penal Code.

Allegedly, the petitioner and co-accused Md.  
Mujahid committed rape with the informant.

Submission is of false implication and that the  
medical evidence does not support the prosecution version. The  
petitioner has been made accused only due to enmity and, as  
such, the petitioner deserves sympathetic consideration to which  
the learned APP, seriously, opposes.

In the facts and circumstances stated above,



considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly, his such prayer stands rejected in connection with Araria (Mahila) P.S. Case No. 28 of 2015 pending in the court of learned Chief Judicial Magistrate, District-Araria.

**(Jitendra Mohan Sharma, J)**

ajaypd./-

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