

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3932 of 2016

Arising Out of PS.Case No. -58 Year- 2015 Thana -BASANTPUR District- SIWAN

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AZHARUDDIN ANSARI @ NAHHEY @ NANHE Son of Kamruddin
Ansari resident of village - Khawaspur, P.S. Basantpur, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Adv.

For the Opposite Party/s : Mr. Ram Chandra Sahni(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 15-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Basantpur
P.S. Case No. 58 of 2015 registered for the offence punishable
under Sections 448, 376(D), 307/34 of the Indian Penal Code.

Allegedly, two persons after entering into the house of
the informant dragged her from the house and the petitioner
forcibly committed rape with her and further gave knife blow on
her nose causing injury and bleeding.

Submission is of false implication and that during
investigation it has come that there was love affair between the
petitioner and the informant, both were on talking term, the
prosecution story as propounded, appears not probable and

reliable, the petitioner has been implicated due to enmity with Mukhiya of the Panchyat, the doctor has not found any sign of rape and further her age has been found between 18-19 years, co-accused Md. Kamruddin Ansari has been allowed bail by another Bench of this Court and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that the petitioner has committed serious crime.

In the facts and circumstances stated above considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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