

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31190 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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Salahuddin @ Salauddin Son of Haroon. Resident of village- Jhamta, P.S-
Tarabari, Distirct- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 27-09-2016 Heard both sides.

The petitioner apprehends his arrest in Araria Mahila P.S. Case No. 07/2016, registered for the offences punishable under Section 497 and other sections of the Indian Penal Code. Later on, Section 376 of the Indian Penal Code was added.

The informant alleged that the petitioner was always passing vulgar comment on her and asking the informant to marry with him after killing her husband. On 01.02. 2016 petitioner forcibly entered into her house and committed rape with her.

Learned counsel for the petitioner submits that occurrence took place on 01.02.2016. The informant gave petition on 08.02.2016, on the same petition F.I.R. was lodged on 10.02.2016 under Section 497 and other sections of the Indian

Penal Code. Petitioner happens to be the friend of husband of the informant. Petitioner lent Rs. 36,000/- to the husband of the informant. Petitioner is painter and working at Bangalore, but the husband of the informant did not return the money and that is why this false case has been lodged, but the informant made specific allegation that the petitioner forcibly entered into her house and committed rape. The witnesses also supported the version of the informant.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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