

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.721 of 2017

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Md. Tanbir @ Tanbir, Son of Md. Tahir Hussain @ Tohid, resident of
Village- Dahgama, Police Station - Sikty, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 27-02-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Palasi P.S. Case No. 44 of 2016, registered under Sections
366, 376 and 511/34 of the Indian Penal Code, pending in the
court of Additional Chief Judicial Magistrate-III, Araria.

The accusation is that, on 19.08.2016, informant was
going with her father on motorcycle to village Palasi to attend the
Jagaran Programme on instruction of one Mahfuj. In the way,
Mahfuj came on motorcycle and stopped the motorcycle of her
father. Two persons also came on motorcycle and surrounded her
father. In the meantime, four persons named in the F.I.R. including
the petitioner started to cause assault to her father through fist and
slaps and dragged her in the field of wheat and started to outrage
her modesty with intention to commit rape but on raising Allah



villagers gathered there and apprehended one person, who disclosed his name Juned Alam and also disclosed the name of petitioner and two others.

Learned counsel for the petitioner submits, in fact, there was love affair in between victim-informant and Mahfuj. Due to dispute between petitioner and Md. Juned Alam, Md. Juned Alam has disclosed the name this petitioner as culprit.

Having considered the facts and circumstances of the case and the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within six weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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