

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25582 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -KOCHADHAMAN District- KISANGANJ

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Ishaque Son of Md. Islam, Resident of Village- Mahasangaon, Police
Station- Kochadhaman, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Ram Priya Saran Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 08-09-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Kochadhaman P.S. Case No. 87 of 2016 for offence under
Sections 302, 376, 201,120(B)/34 of the Indian Penal Code and
8/12 of the POCSO Act.

The allegation of the informant is that the petitioner
along with other accused persons have committed rape and
murder, to the daughter of the informant while she went to attend
a marriage ceremony to the paternal house of her sister-in-law.
Her dead body was found near canal, after four days of her
missing.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is not named in the FIR, he has been falsely implicated in this case only on the basis of confessional statement of one co-accused Zubair. Further submission is that similarly situated co-accused Zubair has already been allowed regular bail by this Hon'ble Court in Cr. Misc. Case No. 52646 of 2016 on 30.01.2017.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, 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.

(Rajendra Kumar Mishra, J)

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