

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.182 of 2017

Arising Out of PS.Case No. -133 Year- 2016 Thana -AMDABAD District- KATIHAR

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1. Md. Sultan son of Ataur Rahman resident of village - Baijnathpur, P.S. Amdabad, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 28-02-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with Amdabad P.S. Case No. 133 of 2016 registered under Section 366 of the I.P.C. pending in the Court of J.M., 1st Class, Katihar.

Learned counsel appearing on behalf of the petitioner submits that due to ulterior motive, petitioner has falsely been implicated in this case. It is also submitted that petitioner has clean antecedent.

Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer of the petitioner with submission that petitioner is named in the F.I.R. and the victim, in her statement recorded under Section 164 Cr. P.C., specifically stated



that the petitioner committed rape upon her twice.

Having considered the facts and circumstances of the case and nature of the allegation, I am not inclined to allow the prayer of the petitioner for anticipatory bail. Accordingly, prayer of the petitioner is rejected.

(Arvind Srivastava, J)

Shailendra/-

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