

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26931 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -MAHILA P.S. District- ARRARIA

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Md. Saddam S/o- Md. Kalam, Resident of Village- Majgama, P.S. Jokihat
(Mahalgaon), District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha
For the Informant : Mr. Gopal Kumar Jha
For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Araria (Mahila) P.S.Case No. 10 of 2017 registered for the
offences punishable under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of committing rape
on the informant.

It has been submitted on behalf of the petitioner that
informant is in habit of filing false case for extorting money and
earlier also she has filed a case against father of the petitioner
(Annexure-2). It has also been submitted that medical report does
not support the allegation of rape and he is in custody since
10.3.2017.

Heard learned APP and learned counsel for the



informant also. They have opposed the prayer for bail stating that there is direct allegation against the petitioner.

Having heard both sides and considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage.

However, petitioner may renew his prayer for bail after framing of charge in this case before the court below, who will consider the allegation as well as medical report and pass an appropriate order.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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