

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12087 of 2018

Arising Out of PS.Case No. -35 Year- 2015 Thana -MAHILA P.S District- SUPAUL

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Md. Janab, S/o Sekh Mofil , R/o Village- Fatahpur, P.S.- Narpatganj, Distt.- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate.

For the Opposite Party/s : Mr. Mustaque Alam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-04-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Supaul Mahila P.S. Case No. 35 of 2015** instituted for the offence under Sections 366-A, 376, 323 and 34 of the Indian Penal Code and Section 4 of the POCSO Act.

There is specific allegation in the written report that petitioner has committed rape with the informant. The informant gave her statement under Section 164 Cr. P.C. which is available in the case diary, wherein, she has levelled specific allegation against the petitioner of committing rape with her.

In the written report she has stated that after committing rape by the petitioner, petitioner brought her on Motor Cycle near Rai Tola Ramnagar Tower and left her there. Thereafter, the informant with the help of Chaukidar namely,



Satyanarayan Paswan, informed her family who came there and took her to home.

The statement of Choukidar has been recorded in paragraph-19 of the case diary wherein he has stated that the victim girl (informant) told him about the occurrence committed by the petitioner.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the court below and make prayer for regular bail.

(Sanjay Priya, J)

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