

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21153 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- CHHATAPUR District- Supaul

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1. Md. Jabbar,
 2. Md. Mumtaj, Both are sons of Md. Ataur Rahman,
 3. Md. Naushad, Son of Md. Salim, all are residing at Village-
Rampur, Police Station- Chhatapur, District- Supaul.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Naresh Kumar Mehta, Advocate
For the Opposite Party : Mr. Sri Bharat Bhushan (APP)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioners and

learned counsel for the State.

The petitioners apprehend their arrest in connection with Chhatapur P.S. Case No. 17 of 2018, registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 354(B), 504, 379 of the Indian Penal Code.

In the written report there is specific allegation against the petitioners that when the niece of the informant who was pregnant went to rescue then the petitioners assaulted her and with an intention to commit rape brought her in a room make her naked and the petitioner no.1 tried to commit rape, due to intervention of some person, she was saved.



Submission is of false implication and that there is case and counter case. The prosecution story appears not probable and reliable, no offence under Section 307 of the I.P.C. is made out, allegation under Section 354 (B) of the I.P.C. is superaddition. The petitioners have got no criminal antecedent and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. seriously opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, I am not inclined to grant privilege of pre-arrest bail to them and accordingly their such prayer stands rejected in connection with Chhatapur P.S. Case No. 17 of 2018, pending in the Court of learned Additional Chief Judicial Magistrate-IV, Supaul.

(Jitendra Mohan Sharma, J.)

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