

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21007 of 2018

Arising Out of PS. Case No.-85 Year-2018 Thana- SITAMARHI District- Sitamarhi

Imteyaz Kuraishi @ Surahwa @ Suharwa, Son of Kallu Kuraishi, Resident of
Village - Husaina, Ward no. 12, Police Station - Sitamarhi, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhubala Verma, Advocate
For the Opposite Party/s : Mr. Binod Kumar -3, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 08-05-2018 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 01.02.2018 in connection with Sitamarhi P.S. Case No. 85 of 2018, registered for the offence under Section 363 and 366 (A) of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submits that though her age has been described as 14 years in the FIR. Actually, her age has been determined between 19-21 years by medical board and she has been married to accused petitioner. As such no case made out as against the petitioner.

Learned counsel for the State after perusal of the case diary, submits that the victim girl in her statement under Section 164 Cr.P.C. has specifically alleged that she has been intoxicated



and thereafter, raped by the petitioner as well as others.

Considering the aforementioned facts and circumstances and the statement made by the victim girl in her statement under Section 164 Cr.P.C., I am not inclined to grant regular bail to the petitioner. It is accordingly, dismissed.

(Anjana Mishra, J)

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