

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51953 of 2018

Arising Out of PS. Case No.-87 Year-2016 Thana- GHORASAHAN District- East
Champaran

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Reyaz Alam, S/o Nek Mohammad, Resident of Village- Nimuiya Tola Lalua,
P.S.- Ghora Sahan, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.Iii

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-11-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in connection with Ghorasahan Police Station Case No.87 of 2016 registered for the offences punishable under Sections 366(A), 34 and 376 of the Indian Penal Code as well as Section 4 of POCSO Act.

The petitioner and co-accused, *Sohrab* allegedly kidnapped to the victim and committed rape against her on several occasions. Thereafter, they allegedly left her in Nepal. The aforesaid fact has come in the statement of the victim recorded under Section 164 of the Code of Criminal Procedure.

Learned counsel for the petitioner submits that



petitioner is a Postman and he was on duty on the alleged date of occurrence at a different place in Motihari. He further submits that some other witnesses have stated that due to enmity the present false case has been lodged and concocted statement of the victim is there.

The plea of alibi and the previous enmity cannot come in the way to disbelieve such serious allegation alleged by the victim. Hence, I am not inclined to enlarge the petitioner, above named, on anticipatory bail. Hence, prayer is refused.

(Birendra Kumar, J)

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