

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21341 of 2018

Arising Out of PS.Case No. -507 Year- 2017 Thana -MANIHARI District- KATIHAR

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1. Shariful, son of Sanjur Ali @ Sanjur Fauji, Resident of Village-
Kherkattha, Mangalahi, P.S.- Korha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. S. Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-06-2018

Heard the parties.

The petitioner seeks anticipatory bail in connection with Manihari P. S. Case No. 507 of 2017, registered for offences punishable under Sections 376/34 of the Indian Penal Code.

Allegation against the petitioner is of commission of rape with the informant on the assurance of marriage.

Submission of the learned counsel for the petitioner is that the story of rape is false and the petitioner resides far away from place of occurrence about 70 K.M., far away from Manihari (place of occurrence), where the complainant resides and further medical report has not supported the prosecution case. It has also been submitted that there is no criminal antecedent against the petitioner.

Learned A.P.P. opposes the prayer for bail on the ground that the petitioner tried to harass the minor daughter of the



informant and in view of the facts and circumstances discussed above and all materials available on the record, I am not inclined to grant bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrenders before the Court below and makes prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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