

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6442 of 2019

Arising Out of PS. Case No.-5 Year-2017 Thana- COMPLAINT CASE District- Supaul

Md. Nasir Hussain @ Saddam @ Md. Nasir S/O Md. Israfil @ Hafiz Israfil
R/O Village Muharrampur, P.S, Jadia, District- Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar and Anr Bihar
2. Rusi Praveen Daughter of Md. Gopal @ Kasim R/o Village- Muharrampur,
P.S. Jadia, District- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Das

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-02-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 5C/2017 registered under Section 323, 376, 511, 379, 504 of the Indian Penal Code.

The complainant alleged that while she was returning from her school, the petitioner dragged her inside the bush and made abortive attempt to commit rape with her on 16.07.2017. The parents of the complainant made complain to the parents of the petitioner but no action was taken. The complainant approached the police but the police also did not register the case.

The learned counsel for the petitioner submits that petitioner is absolutely innocent. The parents of the complainant



wanted to get their daughter married with the petitioner. Several rounds of panchayati was also held but no settlement was arrived at and thereafter the complainant filed this case but it appears from perusal of the complaint petition itself that the complainant is a minor girl and she is studying in class-VII. The complainant made allegation that while she was returning from school the petitioner made abortive attempt to commit rape with her after dragging inside the bush.

Considering the facts aforesaid and nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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