

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18010 of 2019

Arising Out of PS. Case No.-2679 Year-2017 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Shafikul S/o Majaharul Haque Resident of Village- Badi Baluan, P.S.-
Barari, Distt.- Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Aasmara Khatoon D/o Naushad Resident of Village - Badi Baluan P.S.-
Barari, Distt.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in
connection with Complaint Case No.2679 of 2017, registered
for the offence punishable under Section 376 of the Indian Penal
Code.

Allegation against the petitioner is of commission
of rape against the complainant.

Submission is that allegation is based on complaint
petition. There is delay of twenty days in filing of complaint
case.

Earlier informatory petition filed by the father of



the petitioner would also reveal that father of the petitioner was assaulted on 17.11.2017 near the house of the complainant. The occurrence of rape is also alleged on the same day and the petitioner was apprehended at the spot.

Considering the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail is refused. However, in the event of surrender of the petitioner, the prayer for regular bail shall be disposed of without being prejudiced by the order of this Court.

(Birendra Kumar, J)

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