

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15843 of 2019

Arising Out of PS. Case No.-1334 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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Guddu @ Ashique @ Ashik @ Md. Guddu, age about 34 years (Male), Son of
Md. Shamim @ Md. Shamim Razak Resident of Mohalla-Murarpur Mani
Road Kalisthan, P.S.-Kotwali, District-Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mazhabi Khatoon Wife of Md. Shabir Resident of Mohalla-Murarpur Mani
Road Kalisthan, P.S.-Kotwali, District-Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivendra Prasad
For the Opposite Party/s : Mr.Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 28-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is apprehending his
arrest in connection with Complaint Case No. 1334 of 2018 (Tr.
No. 394 of 2018) registered for offences under sections 354 and
379 of the Indian Penal Code.

As per allegation made in the complaint petition,
the petitioner is the cousin father-in-law of the Complainant
who attempted to commit rape upon her.

Learned counsel for the petitioner submits that all
the witnesses are the chance witnesses. He further submits that a
false case has been lodged against the petitioner on account of



family dispute in between the husband of the Complainant and the present petitioner.

When the court has taken cognizance, the petitioner was required to appear before the court below and pray for regular bail.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected.

If the petitioner surrenders before the court below within a period of three weeks from today and prays for bail, the court below, taking into consideration all aspects of the matter, will take a decision in accordance with law.

(Shivaji Pandey, J)

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