

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59974 of 2018

Arising Out of PS. Case No.-2681 Year-2015 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Md. Sajeer @ Sajuwa Son of Khopari Naddaf resident of village - Bisahariya,
P.S Korha, District - Katihar.

... .. Petitioner/s

Versus

1. State Of Bihar.
2. Madhu Kumari Daughter of Upendra Sah resident of village - Bisahariya,
P.S. Korha, District Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Bimal Kumar, Advocate
For the Complainant	:	Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Rajeev Nayan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 03-05-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State and complainant.

The petitioner apprehends his arrest in connection
with C.A. Case No. 2681 of 2015 for the offences punishable
under Sections 323,354,365 of the Indian Penal Code.

Petitioner is said to have kidnapped the informant
with the help of other co-accused and took her to Delhi and kept
in a room and committed repeated rape against her.

Learned counsel for the petitioner submitted that no
such occurrence as alleged ever took place. Petitioner has been
falsely implicated in this case. It is a complaint case and filed



after inordinate delay of one month of the occurrence. Petitioner has no criminal antecedent.

On the other hand, learned A.P.P. for the State and complainant submitted that there is direct allegation against the petitioner for kidnapping the complainant taking her to Delhi and repeatedly committing rape against her.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer for anticipatory bail, is hereby rejected.

However, petitioner is directed to surrender before the learned Court below within six weeks and seeks regular bail, the learned Court below shall dispose of the bail application of the petitioner in accordance with law without being prejudice by this order.

(Prakash Chandra Jaiswal, J)

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