

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66373 of 2019

Arising Out of PS. Case No.-154 Year-2019 Thana- BHAGWANPUR District- Vaishali

MD. KALIM @ MD. KALIM SHAMS Son of Md. Shamsul Haque @
Shamsul Haque @ Md. Shamsul Ansari Resident of Village- Bihari, P.S.-
Bhagwanpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kumar Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 22-10-2019 Heard Mr. Shrawan Kumar, learned senior counsel
for the petitioner and learned A.P.P..

The petitioner apprehends his arrest in Bhagwanpur
P.S. Case No.154 of 2019 registered under Sections 341, 323,
354(b), 376, 511, 509 and 34 of the Indian Penal Code.

The informant named six persons including the
petitioner and alleged that they all entered into her house
dragged her and her mother to a bamboo bush to commit rape.
The accused persons striped her cloths. It is further alleged that
the informant and her mother were clean saved and they were
forced to move around the village.

The learned counsel for the petitioner submits that
petitioner is innocent. Petitioner is a teacher. The father of the



petitioner has also been implicated in the case but the learned Sessions Judge granted anticipatory bail to the father of the petitioner. It is further submitted that case has been compromised but it appears that the informant and her mother made allegation against the petitioner and five others that they all striped her cloths, dragged her and her mother to a bamboo bush and got them clean saved. They also tried to outrage her modesty. The father of the petitioner is not named in the F.I.R.. The name of father of the petitioner surfaced in the case later on.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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