

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15001 of 2020**

Arising Out of PS. Case No.-106 Year-2016 Thana- MAHILA P.S. District- Araria

MD. SALMAN Son of Md. Abu Nasar Resident of Village- Dholbajja, P.S.-
Forbesganj, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

5 06-10-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Araria
(Mahila) P.S. Case No. 106 of 2016 (G.R. No. 3751 of 2016),
registered for the offences punishable under Sections 447,
376(d), 504 and 34 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged
to have committed rape with the informant.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case. There is apparent
difference in FIR and statement of victim under Section 164
Cr.P.C. There is compromise between the parties. Petitioner has



got no criminal antecedent as mentioned in para 3 of the bail petition.

Learned APP vehemently opposed the prayer for bail.

Considering the fact that there is specific allegation against this petitioner of committing rape upon the informant and same has been duly supported by the victim girl in her statement under Section 164 Cr.P.C, I am not inclined to enlarge the petitioner above-named on anticipatory bail in connection with Araria (Mahila) P.S. Case No. 106 of 2016. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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