

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16016 of 2020**

Arising Out of PS. Case No.-5 Year-2017 Thana- MAHILA P.S. District- Araria

MINHAJ @ MINHAJUL ISLAM Son of Gayasul Islam Resident of Village-
Rampur, Mohanpur, Ward No.6, P.S.-Araria, Bairgachi, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Tej Pratap Singh, Advocate

For the Opposite Party : Mr.Aditya Nr Singh.1, Addl Public Prosecutor

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

2 15-07-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for the offences punishable under Section 376 of the Indian Penal Code on the allegation that in the wee hours of 1.3.2017 the petitioner forcibly entered in the room of the informant and committed rape on her.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in this concocted case lodged by his bhabhi on account of death of his brother in which her father had been made accused. He further submits that the informant is mother of three children and has implicated him in a pre-planned manner to pressurize the witnesses of Sessions Trial No. 495 of 2016. Section 164 Cr.P.C. statement of the victim has been lodged after three years' delay without explanation.

Learned counsel for the State points out aforesaid victim's statement in which she has made specific allegation against the petitioner that this petitioner entered into the room of the informant and forcibly ravished her.

Considering the facts of the case, prayer for



anticipatory bail to the petitioner is refused with direction to surrender and seek regular bail which would be considered on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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