

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27127 of 2020

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. Shaishav Kumar

For the Opposite Party/s : Mr. Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-12-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Bhagwanpur P.S. case No. 154/2019 registered under Section 341, 323, 354(b), 376, 511, 509/34 of the IPC.

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 stripped her clothes. 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 and he is a teacher. The petitioner has falsely been implicated in the case due to village dispute. Similarly situated other accused persons have already been granted anticipatory bail but it appears from perusal of the records that prayer of petitioner for anticipatory bail was earlier rejected vide order dated 22.10.2019 passed in Cr. Misc. No. 66373/2019. There is specific allegation that petitioner and others entered into the house of informant, dragged the informant and her mother outside the house to commit rape. The accused persons stripped her clothes and forced her move around the village.

Taking into consideration the fact that the offence is very serious in nature and the same was committed with a woman, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is once again rejected.

(Prabhat Kumar Jha, J)

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