

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17530 of 2021**

Arising Out of PS. Case No.-441 Year-2016 Thana- PHULWARISHARIF District- Patna

Md. Aazam @ Md Azam Son Of Md. Naiyar Resident Of Farsadangi, Fara Masjid Tola, Ps Kujri, District Araria

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Bibi Musarrat Wife Of Md. Hashim Resident Of Mohalla Rani Istemberar Tola Harwa, P.S. Jokihat, District Araria, At Present Mohalla Haroon Nagar, Sector-2, P.S. Phulwari Sharif, District- Patna-801505

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arshad Jameel Hashmi
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-12-2021 Let the defects, as pointed out by the office, be removed when called upon to do so by the office.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered in connection with Phulwari Sharif P.S Case No. 441 of 2016 for the offences punishable under Sections 376/34 of the Indian Penal Code.

Prosecution case relates to commit rape with the informant Bibi Musarrat by the petitioner along with other co-accused persons. The allegation as alleged in the F.I.R has been supported by the informant, recorded under section 164 of the



Cr.P.C in which she stated that petitioner attempted to commit rape with her.

Accordingly, I am not inclined to grant anticipatory bail to the petitioner, therefore, prayer for anticipatory bail of the petitioner in connection with Phulwari Sharif P.S.Case No. 441 of 2016, pending in the court of Additional Chief Judicial Magistrate-IX, Patna stands rejected.

(Sunil Kumar Panwar, J)

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