

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4768 of 2021

Arising Out of PS. Case No.-302 Year-2019 Thana- COMPLAINT CASE District-
Kishanganj

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SADDAM ALI @ SADDAM HUSSAIN Son of Bahar Ali Resident of
Village - Ganjabari, P.S.- Pothia, Dist.- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Momina Khatoon D/o Abdur Rahman Resident of Village - Ganjabari, P.s.-
Pothia, Dist.- Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects, as pointed out by
the office, when called upon to do so by the office.

The petitioner is apprehending his arrest in
connection with Complaint Case No. 302C/2019 for the offence
registered under Sections 376 of the Indian Penal Code.

The allegation against the petitioner in the complaint
is that on 13.05.2019 complainant had gone to ease at night
and while returning home the petitioner caught hold of her and
committed rape.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation levelled against the petitioner is concocted, manipulated and absurd. It is further submitted that the occurrence took place on 01.12.2018 and the complaint case was filed on 13.05.2019 after a delay of six months. It is further submitted that the petitioner has no criminal antecedent.

Learned counsel for the State opposes the prayer for bail of the petitioner and submits that the allegation levelled against the petitioner is serious in nature. As such, it is not a fit case for grant of anticipatory bail.

Considering the nature of allegation made against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. It is, accordingly, rejected.

(Sunil Kumar Panwar, J)

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