

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2195 of 2021

Arising Out of PS. Case No.-11 Year-2020 Thana- MAHILA P.S. District- Purnia

Md Numan @ Numan Son Of Ekram Resident Of Village-Diyari Sikarpur,
Police Station- Kasba, District-Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and 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 a case registered for the offences punishable under Sections 376, 504, 506/34 of the Indian Penal Code.

It is alleged by the informant that when she was sleeping along with her children in her room, the



petitioner along with co-accused Pappu entered into the room of the informant and forcibly ravished her.

It is submitted by learned counsel for the petitioner that for the alleged occurrence of 13.06.2020, the F.I.R has been registered on 16.06.2020 and the petitioner has been implicated in the present case due to village politics. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the fact that there is direct allegation of committing rape against the petitioner and during investigation, the prosecution witnesses have supported the prosecution version and the statement of the victim herself under Section 164 Cr.P.C supporting the prosecution case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. The prayer for bail of the petitioner stands rejected.

However, the Court below is directed to consider the regular bail of the petitioner, without being prejudiced by the order of this Court, if the petitioner



surrenders before the Court below within a period of four weeks from today and pray for regular bail.

With the aforesaid observation/direction, the application stands disposed off.

(Sunil Kumar Panwar, J)

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