

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14189 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- MAHILA P.S. District- Araria

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ABDUL HAKIM S/o Rahman Resident of Village- Hariyabara Ward No. 07,
P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

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

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 11-01-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State through video conferencing.

The petitioner apprehends his arrest for the

offences alleged under Section 376, 323, 341 and 354(B)/34 of

the Indian Penal Code, registered in connection with Araria

Mahila P.S.Case No. 70 of 2020.

The informant/prosecutrix, aged about 19 years,

alleged in the FIR that she went to collect the wood in the field

where the petitioner was grazing cattle. He caught hold of the

victim and committed rape upon her.



The learned counsel for the petitioner has submitted that there is delay of nine days in lodging the FIR. He has also submitted that there was previous enmity between both the parties regarding land dispute.

There is specific allegation against the petitioner that he committed rape upon the informant and as per the order of the learned Additional Sessions Judge-III, Araria, the victim has supported the entire occurrence in her statement under Section 164 of the Cr. P.C. As such, the petitioner is not entitled for the privilege of anticipatory bail.

The anticipatory bail petition is hereby rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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