

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25740 of 2022

Arising Out of PS. Case No.-44 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

MD. AFTAB ALAM son of Md. Jilani Resident of Village - Kothiya, Police
Station - Sakari, District - Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sabra Khatoon D/o Motibul Sah Resident of Village - Kothiya, Police
Station - Sakari, District - Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha,Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-09-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case punishable for the offence under Sections 341, 323, 307, 354(B), 376 of the I.P.C. and Sections 10, 12 of the POCSO Act.

As per complaint, while the victim was sleeping, this petitioner is alleged to have entered into the house by breaking the lock of the window and committed rape.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case because of village politics. The complaint has been filed after a delay of 19 days. The victim has not been examined by the doctor and no other material has been brought on record in support of the allegation made in the complaint.



However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific allegation against this petitioner of committing rape with a minor girl.

Considering the same, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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