

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46493 of 2021

Arising Out of PS. Case No.-138 Year-2019 Thana- PALASI District- Araria

MD JAWED @ PALTU S/o- Md. Yasin Resident of Village - Haiya Tola,
Gyaspur Ramnagar, P.S. - Palasi, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-01-2022 Due to the third wave of COVID-19 Pandemic, the
matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Palasi P.S.
Case No. 138 of 2019 registered under Sections 341, 363, 366
and 504 of the Indian Penal Code.

The prosecution allegation, in short, is that the
petitioner had abducted the daughter of the informant and



committed rape on her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per the supervision note of the Supervising Officer, the involvement of the petitioner has been doubted.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. After recovery, the statement of the victim was recorded under section 164 Cr.P.C. in which there is direct allegation of abduction and commission of rape against the petitioner.

Considering the same, I am not inclined to grant anticipatory bail to the petitioner in connection with Palasi P.S. Case No. 138 of 2019 (G.R. No. 1556/2019). Prayer is rejected. However, if the petitioner surrenders in the Court below and prays for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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