

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52164 of 2021

Arising Out of PS. Case No.-14 Year-2021 Thana- MAHILA P.S. District- Araria

1. Akram Son Of Baddhu Resident Of Village - Haldiya, Ward No. 08, Police Station - Simraha, District - Araria.
2. Hefaz @ Haifaj Son of Late Mosarraaf Resident of Village - Haldiya, Ward no. 08, Police Station - Simraha, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 30-08-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 376(D), 341, 323, 307/34 of the Indian Penal

Code.

It is alleged by the informant that on promise

to marry, co-accused Md. Sahjad established physical

relationship with the informant. It is alleged against the

petitioners that by showing intimate photographs and

video of the informant and co-accused Md. Sahjad, they



forcefully committed rape on the informant and continued for many times, as a result of which, she became pregnant and when a *panchayati* was held, these petitioners entered into the house of the informant and assaulted the informant.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. The petitioners have no concern with the love affairs of the informant and co-accused Md. Sahjad and they have been roped in the present case since they are friends of co-accused Md. Sahjad.

In *contra*, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the petitioners and submitted that there is direct allegation against the petitioners that they forcefully raped the informant. The informant in her 164 Cr.P.C statement has also supported the prosecution case and submitted that these petitioners forcefully raped her. The witnesses have also supported the



prosecution version.

Considering the above-stated facts, this Court is not inclined to grant privilege of anticipatory bail to the petitioners.

The prayer for anticipatory bail of the petitioners stands rejected.

(Sunil Kumar Panwar, J)

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