

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43035 of 2022**

Arising Out of PS. Case No.-59 Year-2021 Thana- MAHILA P.S. District- Araria

NOOR HASAN @ NUR HASAN Son of Irshad Resident of Village -
Parmanandpur, Ward No.-14, P.S.- Jokihat, District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Surendra Kumar, APP
For the Informant	:	Mr. Sanjay Kumar Sharma, Advocate

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 12-12-2022 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 376, 341, 323, 504 and 506/34 of the Indian Penal Code and Section 4 of the POCSO Act.

Allegedly, it is a case of commission of rape by this petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and the petitioner has clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail of the petitioner and submitted that



there is direct allegation of rape against the petitioner and according to impugned order, the statement of the victim girl recorded under Section 164 of the Cr.P.C. wherein she supported the case of the prosecution and asserted that she is aged about 15-16 years and also asserted about the facts of the commission of rape by this petitioner.

After considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is rejected.

However, petitioner is directed to surrender before the court below and pray for regular bail.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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