

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52444 of 2021

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

Eklakh @ Md. Ekhlak Son Of Najam @ Najamuddin Resident Of Village -
Haldia, Ward No.8, P.S.- Simraha, Distt.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 30-08-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his 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 petitioner and other accused persons 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, the petitioner along with other co-accused entered into the house of the informant and assaulted the informant.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. The petitioner has no concern with the love affairs of the informant and co-accused Md. Sahjad and he has been roped in the present case since he is friend 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 petitioner and submitted that there is direct allegation against the petitioner that he forcefully raped the informant. The informant in her 164 Cr.P.C statement has also supported the prosecution case and submitted that this petitioner along with others have 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 petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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