

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7681 of 2021**

Arising Out of PS. Case No.-131 Year-2020 Thana- KOCHADHAMAN District- Kishanganj

MD. TAZEMUL HAQUE SON OF LATE FAZLUR RAHMAN RESIDENT  
OF VILLAGE- PIPLA LOTTA PATKOI, P.S.- KOCHADHAMAN,  
DISTRICT- KISHANGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

3      07-02-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a case in connection with Kochadhaman P.S. Case No. 131 of 2020 pending in the Court of learned Sub Divisional Chief Judicial Magistrate, I/C, Kishanganj registered for the offences punishable Sections 448 and 376 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

It is a case of committing rape upon the victim by the



petitioner and when she started weeping, he promised to marry with her and on this pretext he again did such misdeed.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that the petitioner has got clean antecedent. He further submits that it is a matter of love affair and the victim is a major girl.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

From perusal of the FIR as well as case diary, it appears that the prosecution witnesses have supported the case of the prosecution and at para-37 of the case diary which is the statement of the victim recorded under Section 164 of the Cr.P.C. shows the involvement of the petitioner in committing rape twice and it is a case of heinous offence, as such, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail is rejected.

**(Sunil Kumar Panwar, J)**

brajesh kumar/-

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