

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26896 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- MAHILA P.S. District- Muzaffarpur

MD. ADIL SON OF MD MAKSOOD ALAM ALIAS MD MAKSOOD
RESIDENT OF VILLAGE- TEHWARA, P.S- KATRA, DIST-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand
For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 17-01-2023 Heard learned counsel for the petitioner and
learned counsel for the State.

The petitioner apprehends his arrest in connection
with Muzaffarpur Mahila P.S. Case No. 37 of 2021 registered
under Sections 341, 342, 376 of the I.P.C. and Section 4/6 of the
POCSO Act.

Submission of learned counsel for the petitioner is
that petitioner is innocent and has falsely been implicated in the
present case due to dirty village politics. Further he submits that
petitioner has no criminal antecedent.

Learned A.P.P. appearing on behalf of the State
vehemently opposed the prayer of the petitioner by contending
that petitioner is named in the first information report. There is



direct allegation of rape against the petitioner. Further he submits that in the statement of the victim, recorded under section 164 Cr. P.C., she made the same allegation as alleged in the first information report. Hence, this is not a fit case for grant of anticipatory bail.

Having considered the facts and circumstances of the case and nature of the allegation as well as the submissions advanced on behalf of the State, this Court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, prayer of the petitioner is rejected.

(Arvind Srivastava, J)

shailendra/-

U		T	
---	--	---	--

