

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68338 of 2023

Arising Out of PS. Case No.-14 Year-2023 Thana- MAHILA P.S. District- Araria

Rehmat S/O Illias R/O Chaudhariya, Ward No. 09, P.S.- Araria, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Sweta, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, A.P.P.
For the Informant	:	Mr. Bindeshwar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-12-2023 Heard the parties.

2. The petitioner is apprehending arrest in connection with Araria Mahila P.S. Case No. 14 of 2023 instituted under under Section 341, 323, 379, 376, 504, 506/34 of the Indian Penal Code lodged on 03.05.2023 by the informant.

3. As per the prosecution story, it is alleged that the lady was marriage to one Tafique. On the faithful day, when she went to bring fire wood, the two accused persons including this petitioner caught hold and took her to their sister's house and thereafter, while the petitioner pointed knife at her, accused Samad committed rape. She was kept captive for two days. When her family members were frequently searching her only whereafter she was released with the threatening that if informed to the police, she will be killed. The lady was pregnant



at the time of rape. Accordingly, the F.I.R.

4. Learned counsel for the petitioner tried to persuade this Court that allegation of rape is against Samad, only allegation of putting knife is on this petitioner.

5. Learned counsel for the informant rightly pointed out that it was the petitioner who facilitated the commitment of rape by the accused Samad by putting knife on her.

6. Taking into account the allegation that has come against the petitioner which has subsequently been supported by the informant in her 164 of Cr.P.C., this Court is not inclined to extend him privilege of anticipatory bail, which is accordingly, rejected.

7. Before parting, this Court would like to put on record its word of appreciation for Ms. Sweta, who represented the petitioner.

(Rajiv Roy, J)

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