

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31898 of 2024

Arising Out of PS. Case No.-3 Year-2022 Thana- COMPLAINT CASE District- Kishanganj

Md Taukir Alam @ Taukir Alam S/o Goldar Alam @ Md Guldar R/o vill -
Singhia Khaikhat, P.s. - Bahadurganj, Distt. - Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Naz D/o Jubair Alam R/o vill - Baniadangi ward no. 06, P.S. -
Dighalbank, Distt. - Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ram Prawesh Kumar, Advocate
For the State	:	Mr. Anil Kumar Singh No. 1, APP
For Opposite Party No.2	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-08-2024 Heard learned counsels for the parties.

2. Despite valid service of notice, no one appears on
behalf of the complainant/Opposite Party No. 2.

3. The petitioner apprehends his arrest in a complaint
case registered for the offence punishable under Sections 323,
341, 354B, 376 and 34 of the Indian Penal Code and Section 4
of the POCSO Act.

4. As per prosecution case, while the complainant was
returning home after tying her goat, in the meanwhile, this
petitioner came from behind and caught the complainant by
force and committed rape.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that this case has been planted by the complainant only with a view to harass this petitioner. Petitioner was not present at the place of occurrence. Petitioner claims clean antecedents.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the complaint petition and there is specific accusation of committing rape against him.

7. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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