

AB 2218/2016
BEFORE

HON'BLE MR JUSTICE M.R.PATHAK

This is an application under Section 438 Cr.P.C. seeking pre-arrest bail apprehending arrest by the petitioner, namely, Md Nazim Uddin in connection with Badarpur P. S. Case No. 72/ 2016 corresponding to G.R.Case No. 422/2016 under Section 366(A) IPC .

Heard Dr.B.Ahmed, learned counsel for the petitioner. Also heard Mr. T.K.Misra, learned Addl. P.P. appearing for the State respondent.

Mr.Misra, learned Addl.P.P. relying on the case diary as well as the statement of the victim girl u/s 164 Cr.P.C. recorded on 21.07.2016 by the Magistrate submits that case diary reveals sufficient incriminating materials against the accused petitioner with regard to his involvement with the alleged crime. Mr.Misra further submits that the victim in her statement stated that she is a student of Class - IX and her date of birth is 27.08.2001. As such she was minor on the date of incident.

Considering the above, this court is of the view that it is not a fit case to grant pre-arrest bail to the petitioner in said Badarpur P. S. Case No. 72/ 2016 and accordingly this bail application stands rejected.

Return the case diary.