

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23592 of 2019

Arising Out of PS. Case No.-363 Year-2018 Thana- MAHESI District- East Champaran

IRFAN KHAN Son of Guddu Khan Resident of Village - Mirzapur Idgah,
P.s.- Mehshi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

5 17-08-2019 Heard learned counsel for the petitioner as well as
learned APP.

There happens to be an allegation against the petitioner to have indulged in physical relationship with the victim on the pretext of marriage.

It has been submitted at the end of learned counsel for the petitioner that victim is a major, married and on account of some sort of differences having cropped up at her Sasural on account of her illegal activity which, the father-in-law (para-39) and husband had spoken, ultimately, found the petitioner to be a soft target in order to screen her sin but, as petitioner did not oblige, consequent thereupon, been implicated in this case.

On the other hand, learned APP opposed the prayer and submitted that from the statement of the victim, the conduct



of the petitioner is found duly exposed. Para-15 is the statement of the victim in accordance with Section 161 of the CrPC while para-19 is the statement of the victim under Section 164 CrPC. From perusal of both the statements, it is evident that at an earlier occasion while the petitioner forcibly committed rape on her, got the same video-graphed and on the basis thereof, blackmailed her and the eventuality has been detailed.

In the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is rejected. However, petitioner would be entitled to renew after examination of the victim.

(Aditya Kumar Trivedi, J)

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