

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1895 of 2020

Arising Out of PS. Case No.-275 Year-2019 Thana- KORHA District- Katihar

Md. Mintu @ Md. Aktrat @ Md. Aktrar Son of Md. Israil @ Md. Ijrail
Resident of Village - Sikkat, P.S.- Barari, District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with Korha P.S. Case no. 275 of 2019 registered for the offence punishable under sections 363, 366 and 376 of the Indian Penal Code.

As per allegation in the FIR, the informant, a widow, in absence of her parents was forcibly taken away on Scorpio vehicle by the petitioner who committed rape on her for four days.

It is submitted by learned counsel for the petitioner that the allegation as made in the FIR are false and concocted. The allegations are not supported by the medical report wherein no external injuries have been found on the informant. There is inconsistency in the statement made by the informant in the



FIR. The petitioner has been falsely implicated for reasons that he happens to be the cousin brother of the informant's deceased husband and there is property dispute between the parties.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above including the fact that there is direct allegation against the petitioner, this Court is not inclined to enlarge the petitioner on bail and as such his application for bail is rejected. However, taking into consideration the facts and submissions as made herein above, the petitioner may renew his prayer for bail in case there is no substantial progress in the trial on completing one year in custody.

(Partha Sarthy, J)

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