

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15617 of 2021**

Arising Out of PS. Case No.-31 Year-2020 Thana- MAHILA P.S. District- Kishanganj

Noorshad @ Alam male, aged about 19 years S/O Taiyab Alam Resident Of
Jurail, P.S Bahadurganj, District-Kishanganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh
For the Opposite Party/s : Mr.Panchanand Pandit

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 06-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kishanganj Mahila P.S.
Case No. 31 of 2020, registered for the offence under Section
376 of the Indian Penal Code.

As per the prosecution case, the victim was subjected
to continuous sexual intercourse on false promise of marriage.

It is submitted on behalf of petitioner that victim is
major and with her consent, physical relationship was made. It
is further submitted that the victim is in habit of filing such kind
of false case. Earlier too, she had filed similar nature of case
against one Manjoor Alam in the year 2018. Petitioner is in
custody since 28.07.2020.

However, learned A.P.P. for the State opposed the bail



petition and submitted that there is specific allegation against the petitioner of committing rape on false promise of marriage and as per medical report, the age of the victim has been assessed as 17 years and victim has supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C.

Considering the aforesaid facts and circumstances as well as gravity of allegation, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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