

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35609 of 2021**

Arising Out of PS. Case No.-31 Year-2019 Thana- MAHILA P.S. District- Samastipur

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Raghuveer Kumar Son Of Ravi Bharti @ Vijay Kumar Bharti Resident of
Village - Kewash Nijamat, P.S.- Mufassil Samstipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anu Priyadarshni

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

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

3 21-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Mahila P.S. Case No. 31
of 2019 GR No. 1196 of 2019, registered for the offence
punishable under Section 376 of the Indian Penal Code.

As per the prosecution case, this petitioner entered
into the house of the informant and committed rape upon her.

It is submitted on behalf of the petitioner that
informant is major and married lady and petitioner has falsely
been implicated in this case. In fact, informant had borrowed
Rs. 50,000/- from the petitioner and when the same was
demanded back by the petitioner, this false and fabricated case



has been lodged against him. The occurrence took place on 19.05.2019, but the FIR was lodged on 28.05.2019 after delay of eight days and there is no plausible explanation for the same. Petitioner is in custody since 20.02.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that there is specific and direct allegation of committing sexual assault against the petitioner and the victim girl in her statement under Section 164 Cr.P.C has corroborated the prosecution case.

Considering the statement of victim girl under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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