

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41439 of 2021**

Arising Out of PS. Case No.-421 Year-2020 Thana- BISFI (PATAUNA) District- Madhubani

MD. NIYAZ Son of Md. Abbas Resident of Village- Patouna, P.S.- Bisfi,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.Rajendra Singh

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

3 07-12-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail registered for the offences punishable under section 366A and other allied sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with other accused persons kidnapped and committed gang rape with the victim.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case as the doctor in the medical report has not found any sign of recent intercourse. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 30.12.2020.

Learned counsel for the State opposes the prayer for



bail and submits that the victim in her section 164 Cr.P.C. statement has supported the prosecution case and has disclosed her age to be 15 years.

Considering the nature of accusation against the petitioner and section 164 Cr. P. C. statement of the victim, his prayer for bail is refused.

(Prabhat Kumar Singh, J)

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