

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3396 of 2022**

Arising Out of PS. Case No.-198 Year-2021 Thana- PURNEA SADAR District- Purnia

Md. Wasim @ Wasim S/o Md. Isarafil R/o village- Patilwa, P.S.- Sadar,
District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 26-07-2022 Let the defects, as pointed out by the office,

be removed within four weeks of starting of Court

proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 341, 323, 354, 376,

504, 506/34 of the Indian Penal Code.

Allegation against the petitioner is that he

committed rape to the victim girl.

Learned counsel for the petitioner submits that

the petitioner has clean antecedents and he has been

falsely implicated in the present case. He further submits



that in fact nothing has committed by the petitioner and all the allegation against the petitioner is false and concocted. He further submits that in fact the father of the petitioner had filed a complain bearing Complaint Case No. 647 of 2021 against the family members of the informant and the petitioner has falsely been implicated in the present case only that the father of the petitioner has filed a complain case against the family members of the informant. He further submits that the present case has been filed after a long delay of 14 days and there is no explanation of delay in the F.I.R. and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 02.11.2021.

Learned APP for the State, on the other hand, vehemently opposes the prayer for bail of the petitioner and submits that the victim was recovered and her statement under Section 164 of the Cr. P.C. was recorded in which she has categorically stated that the petitioner has committed rape upon her and the allegation in the F.I.R. also corroborated by the statement of the victim girl recorded under Section 164 of the Cr. P.C.



In view of the aforesaid, I am not inclined to enlarge the petitioner on bail in connection with Sadar (Purnea) P.S. Case No. 198 of 2021 pending in the Court of learned Chief Judicial Magistrate, Purnea. Prayer is refused.

(Rajesh Kumar Verma, J)

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