

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8899 of 2022**

Arising Out of PS. Case No.-273 Year-2021 Thana- GHANSHYAMPUR District- Darbhanga

MD. CHAND SON OF MD. DUKHI KUJRA R/O VILLAGE- PALI, P.S.-  
GHANSHYAMPUR, DISTRICT- DARBHANGA, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Ranjan

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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

2      03-08-2022                      Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 376/34 of the Indian Penal Code.

As per the prosecution case, this petitioner seduced the informant and took her to south-east of *kabristan* and forcibly made physical relation with her.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case, which is apparent from the fact alone that in this case, F.I.R. has been lodged after a delay of five months without there being any plausible explanation. Victim is major.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific allegation against this petitioner of committing rape upon the victim girl and this fact has been fully supported by the victim girl, in her statement



recorded under Section 164 Cr.P.C.

Considering the nature and gravity of the offence and statement of the victim recorded under Section 164 Cr.P.C., the prayer for anticipatory bail of petitioner is rejected.

**(Prabhat Kumar Singh, J)**

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