

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22725 of 2022

Arising Out of PS. Case No.-267 Year-2021 Thana- BARHARA KOTHI District- Purnia

NAWAL MANDAL @ NAVAL MANDAL S/o Late Domi Mandal, R/o
Village- Rajghat, P.S.- Barhara (Raghubansh Nagar O.P.), District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 12-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Barhara (Raghubansh Nagar O.P.) P.S. Case No. 267 of 2021
lodged under Section 376 of the Indian Penal Code.

As per the prosecution, there is allegation of rape
against the present petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the petitioner is basically victim and not the culprit.
He further submits that in her statement under Section 161 of
Cr.P.C. the story of land dispute found. He further submits that

F.I.R. has lodged after delay of 45 days. He further submits that petitioner is in custody since 21.12.2021, charge sheet has already been filed and there is no criminal antecedent of the petitioner.

Learned counsel for the State opposes the prayer for bail and submits that the victim has narrated the story of rape in F.I.R. as well as supported in statement under Section 164 of Cr.P.C.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner. Hence, the bail petition of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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