

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37901 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- RAJEPUR District- East Champaran

RAM IQBAL SAHNI Son of Late Jhapas Sahni Resident of Village- Nanhkar
Nakardewa, P.S.- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Y.C.Verma,Sr.Advocate
Mrs.Priyanka Singh,Advocate
For the Opposite Party/s : Mr.Sachidanand Rai,Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-07-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 363, 366A/34 of the Indian Penal Code.

As per the prosecution case, this petitioner kidnapped daughter of the informant and committed rape upon her.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case because in past, there happened some quarrel between petitioner and informant, since petitioner, being PDS dealer, refused to give more foodgrains to informant. It is further submitted that medical report completely falsifies the rape story. The doctor did not find sperm on the victim. The victim is aged about 17 ½ years to 18 ½ years and she is pregnant. The submission of the victim and her father are materially contradictory.



However, learned counsel for the informant vehemently opposed the bail petition and submitted that petitioner is named in the F.I.R. and the victim, in her statement recorded under Section 164 Cr.P.C., has supported the prosecution case.

Considering the nature and gravity of the offence as well as 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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