

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37104 of 2022

Arising Out of PS. Case No.-137 Year-2020 Thana- KADWA District- Katihar

Md. Guddu Son Of Jahid R/O Village- Kawaiya Bishanpur, P.S.- Kadwa,
District- Katihar Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Md. Hussain, Adv.
For the Opposite Party/s :	Mr. Rajiv Nayan, APP
For the Informant :	Najeeb Ahmed, Adv. With Thakur Brajesh Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-09-2022 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
Kadwa P.S. Case No. 137 of 2020 lodged under Sections 341,
323, 376, 504, 506/34 of the I.P.C.

As per the prosecution case, there is an allegation of
rape against the present petitioner in the name of marriage.
There are in total 7 persons have been made accused in this case
including the present petitioner.

Learned counsel for the petitioner submits that from
the reading of the F.I.R. it transpires that the entire F.I.R. is
wrong and false with a view to create unnecessary pressure
upon family members of the petitioner. Learned counsel for the

petitioner submits that in this case the entire family members have been made accused. The allegation of rape is only against the petitioner. It is clear that with a view to create pressure, the present case has been filed. Learned counsel for the petitioner further submits that the petitioner is in custody since 10.01.2022 having clean antecedent, charge sheet has already been filed.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that in the name of marriage, the petitioner had developed physical relation with the informant since last 3 years and was not ready for marriage even after *Panchayati*, then the present case has been filed after lapse of 3 years.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail at present but Trial Court is directed to release him on bail after framing of charge in this case putting condition that he may not evade from trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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