

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39644 of 2022

Arising Out of PS. Case No.-123 Year-2021 Thana- PHULPARAS District- Madhubani

Raj Kumar @ Raj Kumar Paswan Son of Ram Adhin Paswan Resident of
Village - Amauja, P.S. - Phulparas, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 420, 342,
376, 504, 506 and 34 of the Indian Penal Code.

According to the prosecution case, the daughter of
the informant was having love affair with the petitioner and
when she told him to marry her, then all the accused persons
including the petitioner forcefully took her and left her near
Nepal border and they fled away.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and no such occurrence took place.

The learned counsel for the State has vehemently opposed the prayer for bail of the petitioner on the basis of the materials available on record as well as case diary and submits that the victim was recovered and has recorded her statement under Section 164 of Cr.P.C. in which she has particularly stated that the petitioner has committed rape upon her. .

Considering the aforesaid facts, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Phulparas P.S. Case No. 123 of 2021 pending in the court of learned Additional Chief Judicial Magistrate - II, Jhanjharpur, District- Madhubani.

Prayer is refused.

(Rajesh Kumar Verma, J)

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