

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61984 of 2021

Arising Out of PS. Case No.-122 Year-2021 Thana- AMAUR District- Purnia

MD. ISTIYAK, 21 years, male, son of Md. Shamim, R/V, Barbatta, P.S.
Amnour, Distt. Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Amour P.S. Case no. 122 of 2021 instituted for the offence punishable under Section 376, 504, 506 of the Indian Penal Code.

As per allegation in the FIR, on the point of knife, petitioner had committed rape upon the informant and threatened her not to disclose the incident and he promised to marry her. She disclosed the entire fact to her family members, after pregnancy of four months. When her parents approached to the petitioner, he refused the marry to informant.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. As per medical report, her pregnancy is of 150 days which do not corroborate prosecution allegation.

Learned APP appearing for the State has opposed the prayer of bail and submitted that during investigation in the case diary several witnesses have supported the prosecution case. Informant had made direct allegation of rape upon the petitioner in her statement recorded under Section 164 Cr.P.C.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation of rape against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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