

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66346 of 2021

Arising Out of PS. Case No.-34 Year-2020 Thana- MAHILA P.S. District- Munger

MD AKMAL SON OF MD. MUSHTAKIM RESIDENT OF VILLAGE -
GAURA, PS- SHAMPUR (O.P) DIST- MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-09-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Mahila P.S. Case No. 34 of 2020 registered for the offences

punishable under Sections 376, 504/34 of the Indian Penal

Code.

As per prosecution case, accusation against the

petitioner is that he has been making physical relation with

the informant for last two years on the pretext of marrying her

and whenever she is alone in her house, he used to make

physical relation with her. It is further alleged that the



petitioner threatened to denigrate her if she tells to anyone. On 16.09.2020, the petitioner took the informant to Bhagalpur on the pretext of performing marriage in the Court but the petitioner did not perform marriage and returned then informant's father went to the house of petitioner and asked to marry with informant upon which petitioner's father, brother and sister abused and threatened him.

Learned counsel for the petitioner submits that petitioner is in custody since 28.07.2021. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner is quite innocent and he has falsely been implicated in this case due to village politics.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner. He has submitted that the victim girl has corroborated the allegations against the petitioner in her re-statement and also her statement under Section 164 of the Cr.P.C..

Considering the facts and circumstances of the case, nature of accusation against the petitioner, coupled with the statement of the victim under Section 164 of the Cr.P.C. and materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of



the present petitioner stands rejected.

However, learned trial court is directed to expedite
the trail as soon as possible.

(Alok Kumar Pandey, J)

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