

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66081 of 2021

Arising Out of PS. Case No.-150 Year-2021 Thana- MAKER District- Saran

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Mahammad Gulam Raza @ Md Gulam Raja Son of sMahammad Rafik
Miyan @ Rafik Miyan Resident of Village - Phulwariya Tole, Kapasahar,
P.S.- Maker, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 13-10-2022 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
Maker P.S. Case No. 150 of 2021 lodged under Section 376 of
the I.P.C.

As per the prosecution case, the informant has alleged
that at the night of 15.08.2021, when the informant went outside
her house for natural call then the sole accused person caught
and raped her.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further

submits that petitioner is in custody since 16.08.2021 having clean antecedent. Charge sheet has already been filed in this case. He further submits that petitioner is the victim of the said event, as he was preparing for *Panchayat* election and his enemies have transplanted this false case against him. Learned counsel further submits that he has annexed the medical report. Upon examination, doctor has found no injury on the private part of the victim. He further submits that the witnesses of the case diary have refused on affidavit that they have not stated anything before police.

Learned counsel further submits that petitioner is ready to fulfill all the conditions shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail and submits that there is consistent statement of the informant victim in this case. The same thing she narrated in F.I.R. 161 and consistently supported in 164 statement.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail therefore bail application is hereby rejected.

(Dr. Anshuman, J.)

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