

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4323 of 2023

Arising Out of PS. Case No.-100 Year-2019 Thana- MEDNI CHAUKI District- Lakhisarai

Kundan Kumar Son Of Anup Mahto R/O Vill.- Devghara Chandra Tola, P.S.-
Mednichowki, Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
27.09.2022 in connection with Mednichowki P.S. Case No.
100 of 2019, F.I.R. dated 29.11.2019 registered for the
offence punishable under Sections 323,376,504,506 of the
Indian Penal Code.

The prosecution case, in short, is that, the
petitioner has committed rape with the informant and also
click the photo. It is further alleged that he regularly
established sexual intercourse and threatened to viral that
photo as a result of which she became pregnant. On
03.11.2019 petitioner took away the informant at lonely



place and tried to administer poison. Informant raised alarm and hue and cry then the petitioner fled away after gathering the local people.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that as per allegation in the FIR that on the pretext of marriage the petitioner has committed rape upon the victim.

Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim under Section 164 Cr.P.C. was recorded in which she has categorically stated that the petitioner has committed rape upon her and the medical evidence also suggests that at the time of medical examination the victim was pregnant.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with



Mednichowki P.S. Case No. 100 of 2019 pending in the
court of learned Addl. Chief Judicial Magistrate-1st,
Lakhisarai.

Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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