

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10507 of 2023

Arising Out of PS. Case No.-357 Year-2022 Thana- RAMNAGAR District- West Champaran

Sahil Miyan @ Maharbaan Miyan S/o Jabbar Miyan R/o Village- Dainmarwa,
P.S.- Ramnagar, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APPT

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor 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.

Petitioner seeks bail who is in custody since
25.07.2022 in connection with S. Tr. No. 895 of 2022 arising out
of Rmanagar P.S. Case No. 357 of 2022, F.I.R. dated 20.07.2022
for the offences punishable under Sections 376, 341, 323,
504/34 of the Indian Penal Code.

According to prosecution case, this petitioner
committed wrong act with the informant and maligned her
prestige and threatened her for dire consequences.

Learned counsel for the petitioner submits that



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 the petitioner has not committed any offences as alleged in the F.I.R.

The learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 164 of the Cr.P.C in which she has categorically stated that the petitioner has committed rape upon her and the medical report also supports the allegation as alleged in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with S. Tr. No. 895 of 2022 arising out of Ramnagar P.S. Case No. 357 of 2022 pending in the court of learned Additional Sessions Judge 1st, Bagaha, West Champaran.

Prayer is refused.

(Rajesh Kumar Verma, J)

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