

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10770 of 2023

Arising Out of PS. Case No.-205 Year-2022 Thana- DAGARUA District- Purnia

MD. MUKHTAR Son of Amir R/V- Toli Panchayat Toli, P.S-Dagarua Dist-
Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 376, 379,
504, 506/34 of the Indian Penal Code.

Allegedly, petitioner is said to have allured the informant
and established sexual relation with her on the pretext of
marriage. He also took obscene photographs.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to ulterior motive. The allegation
levelled against the petitioner is not specific rather general and
omnibus in nature. It is further submitted that the victim was



medically examined and as per the medical report, no sign of sexual assault was found. He further submits that the informant is mother of three children and she went with petitioner with her own sweet will. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case as well as the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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