

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23714 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- BAJPATTI District- Sitamarhi

KRISHNA MURARI @ SRIMAN Son of Ajay Kumar singh R/V- Basdeopur,
Boha, (Bashudeopur) PS- Bajpatti, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ajay Kumar Singh, Adv.
For the Opposite Party/s :	Mr.Arun Kumar Pandey, APP.
	Mr. Alok Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-08-2023 Heard the parties.

2. Petitioner apprehends his arrest in connection with Bajpatti P.S. Case No. 131 of 2022 dated 16.05.2022, registered for the offence punishable u/s 376, 341, 323, 34 of the IPC, pending in the court of learned J.M. 1st Class, Pupri at Sitamarhi.

3. Allegedly, petitioner is said to have committed rape with the informant. The father of the petitioner assured informant's maternal parents to perform marriage of informant with his son but ultimately, he refused.

4. 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. No independent witness has supported the prosecution case. Even the medical report of victim did not support the prosecution case. He further submits that process under Sections 83 & 84 of Cr.P.C. has been issued against this petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State as well as learned counsel for the informant vehemently opposing the bail petition submitted that the statement of victim has been recorded under Section 164 Cr.P.C, in which she has supported the prosecution case.

6. Considering the facts and circumstances of case as well as the statement under Section 164 Cr.P.C. of the victim, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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