

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22916 of 2023

Arising Out of PS. Case No.-280 Year-2022 Thana- BAKHARI District- Begusarai

MD. SABBIR Son of Md. Yunus Miyan Resident of Village - Mohanpur,
Police Station - Bakhari, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushboo Khatoon Daughter of Md. Muslim Miyan Resident of Village - Mohanpur, Police Station - Bakhari, District - Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Kumar, Advocate
For the Opposite Party/s	:	Mr.Pushpa Sinha, APP
For the complainant	:	Mr. Anshu Dhar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 354(B), 447, 504, 376 and 307 of the Indian Penal Code.

As per the prosecution case, the allegation against the petitioner is of committing rape. It is further alleged that he continued to establish physical relation with the informant on false assurance of marriage.

It is submitted on behalf of the petitioner that only to extort money and to harass, this false case has been lodged. The alleged occurrence took place on 25.02.2022 but compliant has



been filed on 21.07.2022. But there is no explanation of delay in filing of the compliant and the age of the complainant is 32 years. As such, the allegation of commission of rape is totally absurd.

Learned A.P.P. for the State as well as learned counsel for the informant both have opposed the bail petition of the petitioner. Learned counsel for the informant submits that there is specific allegation against this petitioner is commission of rape and thereafter on the false assurance of marriage, he continued establish physical relation with the complainant.

Considering the aforesaid facts and circumstances of the case and the nature of allegation made against the petitioner, I am not inclined to grant bail to the petitioner. Therefore, the prayer for bail of this petitioner is dismissed.

(Prabhat Kumar Singh, J)

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