

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28288 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- KATORIYA District- Banka

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BABLOO YADAV @ BABLOO KUMAR YADAV Son of Upendra Yadav
Resident of village - Garijore, Baugbariya, P.S.- Fullidumar, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 16-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376, 366, 504, 506 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states that on the pretext of marriage the petitioner established physical relations with her.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No offence under section 376 of the Indian Penal Code is made out. It was after 2 days that the statement under section 164 Cr.P.C. was recorded and even therein the informant had given a different statement from what was stated in the FIR. The informant is an 18 year old major. There is no sign of rape in the



medical report. The petitioner is in custody since 5.1.2022 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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