

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31717 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- ABADPUR District- Katihar

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Babul @ Bablu Son of Mustafa Resident of village-Sohar, Police Station-
Abadpur, District-Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-07-2023 Heard both parties.

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

3. As per the prosecution case, this petitioner took obscene photographs of the complainant and threatened her to make it viral. It is further alleged that on the alleged date and time of occurrence, this petitioner forcibly took the complainant in banana orchard and committed rape with her.

4. It is submitted that petitioner has been falsely implicated in this case due to village politics. There is no eye-witness of the occurrence. There is delay of four months in lodging of the complaint case for which there is no plausible explanation. Complainant is major and was in love with this



petitioner. Petitioner claims clean antecedents.

5. Counsel for State however vehemently opposed the prayer for bail and submitted that the complainant in her statement under Section 164 Cr.P.C has duly supported the prosecution case.

6. In view of the statement of complainant (victim) under Section 164 Cr.P.C, I am not inclined to enlarge the petitioner above-named on anticipatory bail in connection with Abadpur P.S. Case No. 172 of 2022. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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