

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51943 of 2022

Arising Out of PS. Case No.-109 Year-2022 Thana- ALAMNAGAR District- Madhepura

Kailash Paswan S/o Late Ataru Paswan Resident of Village- Bhagipur, @
Bhogipur, Ward No.3, P.S.- Alamnagar, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 376 of the Indian Penal
Code.

According to prosecution case, the petitioner tied the
informant with rope and kept him outside the house and
committed rape upon the wife of the informant and also
threatened to kill both the husband and the wife.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the medical report of the victim also does not support the allegation as alleged in the F.I.R. The petitioner is in custody since 12.05.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim girl was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that the petitioner has committed rape upon her.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Alamnagar P.S. Case No. 109 of 2022 pending in the court of learned Additional Chief Judicial Magistrate 1, Udakishanganj, Madhepura.

Prayer is refused.

(Rajesh Kumar Verma, J)

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