

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52933 of 2022

Arising Out of PS. Case No.-20 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

MD. TASLEEM S/o Md. Bashir @ Md. Laddu R/o village- Ashraf Nagar,
Shahjangi, P.S.- Habibpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 376, 504 and 34 of the Indian
Penal Code.

The informant is subjected to rape on the false
pretext of marriage by the petitioner later on he refused to
marry her.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that it appears from the F.I.R. that the
petitioner has established physical relation with the



informant on the pretext of marriage in a room of Mall One. He further submits that the F.I.R. has been lodged after six days of the alleged occurrence, which creates doubt over the prosecution version. No such occurrence as alleged in the F.I.R. has taken place. The petitioner is rotting in judicial custody since 27.06.2022.

Learned A.P.P. for the State, on the basis of material available on record as well as the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that the statement of victim has been recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner has committed rape upon her and later on refused to marry with her.

Considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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