

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53762 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- RAUTA District- Purnia

NAUSHERWA ADIL S/o Arshad Alam Resident of Village-Aura Nandaniya,
P.S.-Routa, Distt-Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Mishra, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Routa P.S.
Case No. 77 of 2023 registered for the offence under Sections
376, 493 and 313 of the Indian Penal Code.

On the pretext of marriage, the petitioner has
established physical relation with the informant.

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
the allegation, as alleged in the F.I.R., is false and fabricated and
the petitioner has not committed any offence. He further submits
that the present F.I.R. has been instituted against the petitioner
only to generate pressure on the petitioner to perform marriage



with the victim. He further submits that there is no material available on record to suggest that the petitioner has committed wrong with her. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 24.05.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner has continuously committed rape upon her and the medical report of the victim also support the allegation as alleged in the F.I.R.

Considering the facts and circumstances of the case and the rival submission of the parties and nature of offence, this Court is not inclined to grant the privilege of bail to the petitioner. Accordingly, the prayer for bail of this petitioner is rejected.

(Rajesh Kumar Verma, J)

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