

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63002 of 2023

Arising Out of PS. Case No.-133 Year-2023 Thana- KARPI District- Jehanabad

Nandan Pathak S/O Pramod Pathak Resident Of Village- Khajuri, P.S -Karpi,
Distt.- Arwal.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Karpi P.S. Case No. 133 of 2023, lodged on 21.04.2023 under Sections 67 of the Information and Technology Act, 2000 as well as Sections 341, 323, 457, 376,379,427,504, 506 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged by virtue of an allegation primarily levelled under Section 376 of the Indian Penal Code.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The age of the victim is 23 years. There was a physical relationship developed between the petitioner and the informant and with a



view to save skin, the informant has lodged the present case. The antecedent of the petitioner is clean and he is in custody since 23.04.2023. The chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail and submits that vide order dated 05.10.2023, the case diary and the statement of the victim recorded under Section 164 of the Cr.P.C. has been called for.

6. Upon perusal of the statement made under Section 164 of the Cr.P.C., it transpires that the allegation made in the FIR has been fully supported by the informant and the allegation of rape is also there in the FIR as well as in the case diary.

7. In the present facts and circumstances of the case, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Karpi P.S. Case No.133/2023, pending before the learned Judicial Magistrate, 1st Class, Arwal, is hereby rejected.

9. The present application stands disposed of.

(Dr. Anshuman, J)

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