

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62978 of 2023

Arising Out of PS. Case No.-264 Year-2023 Thana- KHAJANCHI HAT District- Purnia

MD IMTIYAZ S/O MD GHOLTU R/O VILLAE- RAHUA POKHARIA
TOLA, P.S- K. NAGAR(MARNAGA), DISTT.- PURNEA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar , Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341 , 376 and 120(b) of I.
P . C .

3. As per the prosecution case, tis petitioner is alleged
to have committed rape on the informant.

4. It is submitted on behalf of learned counsel for the
petitioner that informant is major and FIR has been lodged after
the delay of 8 months which itself casts serious doubt over the
veracity of the entire prosecution . Victim is the mother of two
children . Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer
for bail and submits that there is specific allegation against the



petitioner that he committed rape with the victim and victim in her statement recorded under section 164 Cr. P . C . has supported the prosecution case .

6. Considering the the nature of accusation and statement of the victim recorded under section 164 Cr. P . C ., prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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