

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61633 of 2022

Arising Out of PS. Case No.-186 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Raja Khan @ Md. Sohel Khan Son Of Md. Aayub Khan R/O Village- Gospur
Paithan Tol, P.S.- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Yogesh Chandra Verma, Senior Advocate
For the Opposite Party/s :	Mr. Ram Sumiran Rai, APP
For the Informant :	Mr. Rajeev Ranjan II, Advocate
	Mrs. Anjana Gupta, Advocate
	Mrs. Priyanka Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 20-03-2023 Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioner, Mrs. Anjana Gupta, learned counsel appearing on behalf of the informant as well as 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 Sections 376, 313 and 120B of the Indian Penal Code.

According to prosecution case, the petitioner was committing rape with the informant/victim since 1 year against



the false promise of marriage. It is further alleged the petitioner along with other accused person caused miscarriage of the informant by serving her some medicine mixed with lassi with an intention to kill both informant and her unborn child.

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 it appears from the F.I.R. itself that in the pretext of marriage, the present occurrence took place. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the F.I.R. is instituted against the petitioner that he is committing rape of the informant against the false promise of marriage. He further submits that the medical evidence of the victim does not support the allegation as alleged in the F.I.R. The petitioner is in custody since 02.07.2022.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim 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 Dalsingsarai
P.S. Case No. 186 of 2022 pending in the court of learned
Additional Chief Judicial Magistrate -I, Dalsingsarai, District-
Samastipur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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