

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66380 of 2023

Arising Out of PS. Case No.-87 Year-2023 Thana- AANDAR District- Siwan

=====

Dastagir Khan S/O Late Sadique Khan Village- Chandauli Gangauli, P.S.
Andar, Dist- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Satyendra Rai, Advocate
For the Opposite Party/s	:	Mr. Arvind Kumar Pandey, APP
For the Informant	:	Mr. Praveen Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-11-2023 Heard Mr. Satyendra Rai, learned counsel for the petitioner, Mr. Praveen Kumar, learned counsel appearing on behalf of the informant as well as Mr. Arvind Kumar Pandey, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Andar P.S. Case No. 87 of 2023, F.I.R. dated 01.05.2023 for the offences punishable under Sections 341, 323, 376, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner has committed rape several times upon the informant who happens to be his own daughter. It is further alleged that all the accused persons including this petitioner assaulted her and also threatened her for dire consequences if she will lodge the case.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present 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 offences as alleged in the F.I.R.

5. 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 there is direct and specific allegation against the petitioner that he has committed rape upon the victim and the victim has also supported the prosecution in her statement recorded under Section 164 of the Cr.P.C.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Andar P.S. Case No. 87 of 2023 pending in the court of Judicial Magistrate 1st Class, Siwan.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

