

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63381 of 2022

Arising Out of PS. Case No.-324 Year-2022 Thana- NARPATGANJ District- Araria

MD. ALANOOR @ ALANOOR S/o Md. Kalim R/o Village- Dumaria, Ward
no. 5, P.S.- Raniganj, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
16.07.2022 in connection with Narpatganj P.S. Case No. 324 of
2022, F.I.R. dated 15.07.2022 for the offences punishable under
Section 376 of the Indian Penal Code.

According to prosecution case, on the basis of written
report of informant namely, Shania Prween alleging therein that
the petitioner made physical relationship with the informant again
and again. On the alleged date i.e. on 14.07.2022 the informant
and her family member fetched conspiracy with the friends and
companions of this petitioner. So many persons were present in
the Baithaka, House of the said as Arsaid Rahmani and they put
proposal to marry with the informant but the petitioner refused to
marry with anybody and said that he is already married and he
has wife and whom the petitioner refused to accept the proposal



of the persons, they caught the petitioner and handed over to the petitioner to local police.

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 the allegation as alleged in the F.I.R. is false and fabricated and the medical report of the victim does not support the allegation as alleged in the F.I.R.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the basis of material available on the record and case diary submits that the statement of the victim girl which was recorded under Section 164 of Cr.P.C. in which she has categorically stated that the petitioner has committed rape upon her on 14.07.2022 and the medical examination of the victim was conducted on 25.07.2022, so it has not come in the medical report.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Narpatganj P.S. Case No. 324 of 2022 pending in the court of learned Chief Judicial Magistrate, Araria.

Prayer is refused.

(Rajesh Kumar Verma, J)

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