

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66908 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- BHAWANIPUR District- Purnia

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RANJEET KUMAR@RANJIT KUMAR S/O ANIL MANDAL RESIDENT
OF VILLAGE -BHITHA, PS- BHAWANIPUR, DISTRICT- PURNIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhawanipur P.S. Case no.128 of 2023 registered under sections 376, 323, 354B, 313 and 34 of the Indian Penal Code.

3. As per the prosecution case, while the informant was alone at her home, she states that the petitioner entered her house and on the point of knife committed rape on her. On her parents complaining to the parents of the petitioner, they were abused and assaulted. Subsequently, a panchayati also took place. The informant further states that on 16.2.2023 she was forced by the accused to take a medicine resulting in abortion.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the



case. There was love affair between the parties and the relationship was consensual. The same would also be evident from the panchnama drawn up in the panchayati held in the village, a copy of which has been brought on record as Annexure-2 to the petition and reference to which finds mention in the FIR. It was subsequently on the marriage of the petitioner having been arranged that he has been falsely implicated in the case. The petitioner is in custody since 26.6.2023 and investigation in the case has concluded.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner of having committed rape on the informant and subsequently having forced her to take medicine resulting in her abortion together with the allegations having been supported by the informant in her statement under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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