

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72134 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- ANGARH District- Purnia

MD. KHALID @ KHALID ANWAR SON OF MD. KHALIL @
KHALILUR RAHMAN R/O VILL.- CHAINPUR, P.S.- ANGARH, DISTT.-
PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Najeeb Ahmad, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 18-04-2023 Heard learned counsel for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341, 323, 376, 504, 506
and 34 of I.P.C.

As per the prosecution case, while the informant was
sleeping with her children, this petitioner entered her room and
committed rape on her. It is further alleged that in Panchayati,
the accused persons assaulted her husband and brother-in-law
(Bhaisur) causing them injuries.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. It is further submitted that the FIR has been lodged after
the delay of 3 days and there is no explanation about it. Injuries



sustained by the husband and Bhaisur of informant are found to be simple in nature. There is counter case of alleged occurrence filed by the brother of the petitioner being Angarh P.S. Case no. 27 of 2022 registered under sections 341, 323, 325, 379, 504, 506 and 34 of I.P.C. wherein husband and Bhaisur of informant were made accused.

Learned counsel for the State opposes the prayer for bail and he submits that the victim in her 164 Cr.P.C statement has categorically made allegation against the petitioner that petitioner entered her room and forcibly committed rape with her.

Considering the 164 Cr.P.C statement of the victim, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

Kaushik/-

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

