

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10394 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- MAHILA P.S. District- Araria

MD. LADDU @ NAYEEMUDDIN S/o Md. Yakub @ Yakub R/o village-
Satbita, P.S.- Joki Hat, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, Addl. Public
Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 376, 420, 506 of I.P.C.

As per the prosecution case, when informant had gone
for nature call in the meantime this petitioner caught her and
committed rape with her and also threatened her not to reveal
this ordeal to anyone. Later all she conceived and gave birth to a
male child on 23.06.2022.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The FIR has been lodged after lapse of 10 month and birth
of the male child and there is no explanation for the delay. It is



next submitted that victim is major.

However, learned counsel for the State opposes the prayer for bail and submits that the victim in her 164 Cr.P.C statement stated that this petitioner had committed rape with her and during the occurrence, as per the date of birth, the victim was of 16 to 18 years.

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

(Prabhat Kumar Singh, J)

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