

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7743 of 2023

Arising Out of PS. Case No.-362 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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KAMRE ALAM S/o Md. Gufran R/o Village and Post- Kharra, P.S. and Distt-
Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rozi Praveen D/o Md. Ataullah R/o village and P.S- Khajuri, Ward no. 3,
P.S. and Distt- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Rina Sinha, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under section 341, 342, 354B, 354C,
354D, 292A, 504, 509 of Indian Penal Code.

On 30.07.2022 this petitioner Md. Kamre Alam
surrounded the informant on the way while she was returning
from college and took her away at deserted place and committed
rape with her. It is further alleged that he also threatened to
upload the video and photo on social media.

It is submitted on behalf of the petitioner that the
petitioner has falsely been implicated in this case. No such



occurrence as alleged has taken place rather informant is the wife of petitioner (Kamre Alam) which is clear from the perusal of marriage certificate dated 31.10.2019. Petitioner has also filed a matrimonial petition vide M.M. No. 198 of 2022 for restitution of conjugal rights before Principal Judge, Family Court, Madhubani. Petitioner claims clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that from perusal of the case diary it transpires that the informant is a student and petitioner Md. Kamre Alam used to molest her since long as being home tutor. Witnesses of the case diary have also supported the case of the prosecution. Further, as per Para 38 of the case diary, S.D.P.O. has found the case true against the petitioner. It is further submitted to cover up his misdeed, forged document of marriage has been prepared by him.

Considering the nature and gravity of allegation and as also the fact that witnesses have supported the case of the prosecution, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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