

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5189 of 2024

Arising Out of PS. Case No.-30 Year-2023 Thana- MAHILA P.S. District- Madhepura

Ritik Kumar Paswan @ Ritik Kumar S/O Abhay Kumar @ Abhay Paswan
R/O Village- Jotaili, P.S- Behariganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahila P.S. Case no.30 of 2023 registered under sections 376 and 506 of the Indian Penal Code.

3. As per the prosecution case, the informant states that the petitioner on the point of a firearm has been threatening her and committed rape on her. She further states that he has been saying that he would shoot down her children as also her husband.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The petitioner and the informant happen to be neighbours and it is for oblique reasons that the false case has been lodged.



The very fact that the allegation is of having committed rape for one year and she kept silent shows that it is false and concocted case. The informant did not lodge a case in the nearby police station but reported the matter at a police station 50 km away. The petitioner is in custody since 9.10.2023 and has no criminal antecedent. Chargesheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R. of having committed rape on the informant at the point of firearm together with the allegations having been supported in the statement of the victim under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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