

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13769 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- JALE District- Darbhanga

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Faisal Madni Son of Sagir Ahmad Quasmi @ Sagir Ahmad Resident of
Village - Pithariya Khurd, P.S.- Jalley, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-03-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Jalley P.S. Case No. 132 of 2023 for the offence registered under sections 376 and 365 of the Indian Penal Code lodged on 13.10.2023 by the informant, Nahida Praveen.

3. As per the prosecution story, the informant alleged that she got headache, went to the shop of the petitioner, took medicine but in the night on the threat of pistol, he committed rape and further threatened to kill her, if the matter is disclosed to anyone. Since her husband used to live abroad when he was to return, the petitioner called the informant, ask her to come out and later with the help of other accused persons after putting cloth in the mouth, kidnapped and taken to a deserted place and



again committed rape. They left but not before snatching her mobile phone. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that the lady was married, there was the pregnancy test, result was negative and she is major and only because she wanted to marry him which he refused, the FIR. He also points out that there is delay in lodging of the FIR.

5. Learned APP for the State, on the other hand, has taken this Court to the 164 Cr.P.C. statement of the lady in which she has made clear statement that not only she was raped, was also threatened of dire consequences, if it is informed to anyone.

6. In the aforesaid background, since there is direct allegation against the petitioner, it would be appropriate that he seeks bail.

7. Cr. Misc. No. 13769 of 2024 stands rejected.

(Rajiv Roy, J)

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