

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19121 of 2024**

Arising Out of PS. Case No.-17 Year-2023 Thana- MAHILA PS District- Darbhanga

Md. Reyaz Son of Md. Qayyum, Resident of village - Chhapki Parri, Police Station - Sadar, District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Saurav Anand, Advocate
For the Opposite Party	:	Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 19-07-2024 Heard Mr. Saurav Anand, the learned counsel for the petitioner and Mr. Arun Kumar, the learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since 08.12.2023, in connection with Mahila P.S. Case No. 17 of 2023, FIR dated 01.03.2023, registered for the offences punishable under Sections 376, 506 and 448 read with Section 34 of the Indian Penal Code.

3. Earlier the petitioner has moved before this Hon'ble Court in Cr. Misc. No. 55076 of 2023, which was withdrawn vide order dated 08.11.2023.

4. According to the prosecution case, the petitioner entered into the house of the informant late at night and forcibly committed rape upon her. It is further alleged that the family members of the petitioner threatened the informant with dire



consequences.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

6. The learned Additional Public Prosecutor for the State on the basis of materials available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended at the place of occurrence. Apart from that, the statement of the victim as well as the prosecution witnesses have supported the case of the prosecution and the date of birth of the victim suggests that on the date of occurrence the victim was minor.

7. Considering the aforesaid facts and circumstances, I am **not** inclined to enlarge the petitioner on bail in connection with Mahila P.S. Case No. 17 of 2023, pending in the Court of learned Sub-Divisional Judicial Magistrate, Darbhanga.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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