

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23606 of 2024

Arising Out of PS. Case No.-425 Year-2023 Thana- NAVINAGAR District- Aurangabad

Pankaj Mehta S/o Basant Mehta R/o Village- Hasanpur, P.S.- Nabinagar,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv with
For the Informant	:	Mr. Tribhubhan Narain Singh, Adv
For the State	:	Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 10-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 366, 376, 313, 342, 341, 323, 504,
506 and 34 of the Indian Penal Code in connection with Navinagar
P.S. Case No. 425 of 2023.

3. The allegation against the petitioner is of committing
rape with the informant on the false pretext of marriage.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that from perusal of the FIR,
it is evident that the victim was consenting party and no force was
applied in alleged physical relationship. Petitioner is a person of



clean antecedent and he is in custody since 07.11.2023.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that petitioner is named in the FIR and **he is the maternal uncle of the victim**. The victim’s statement has been recorded under Section 164 of the Cr.P.C., in which she specifically stated that this petitioner used to make physical relationship with her on the false pretext of marriage, which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands **rejected**.

(Nawneet Kumar Pandey, J)

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