

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29595 of 2024

Arising Out of PS. Case No.-101 Year-2021 Thana- BHAIKAVSHTHAN District-
Madhubani

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Khush Mohammad Son Of Mohammad Akbar Nadaf @ Md. Akbar Resident
Of Village- Bharha, Ps- Phulparas, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Gagandeo Yadav, Advocate
	:	Mr.Ravi Prakash, Advocate
	:	Mr.Udeshya Kumar Yadav, Advocate
	:	Mr. Vinod Kumar, Advocate
For the Opposite Party/s :	:	Mr.Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-07-2024 Heard Mr.Gagandeo Yadav, learned counsel for the

petitioner and Mr.Anil Kumar Singh No. 1, learned A.P.P. for

the State.

2. The petitioner seeks bail, who is in custody since
23.01.2024 in connection with Bhairav Ahthan P.S. Case No.
101 of 2021, F.I.R. dated 25.08.2021 registered for the offence
punishable under Sections 341,323,347,376,504/34 of the
Indian Penal Code.

3. The petitioner is alleged to have committed rape
upon the informant on the false pretext of marriage and made
obscene video of her intimate physical relation.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, has opposed the prayer for bail of the petitioner and submits that the statement of the victim under Section 164 Cr.P.C. was recorded in which she has categorically stated that the petitioner has committed rape upon her and apart from that, the medical record of the victim suggests that the victim was pregnant at the time of her medical examination which suggests that the petitioner has committed rape upon her.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Bhairav Ahthan P.S. Case No. 101 of 2021 pending in the court of learned A.C.J.M.-1st, Jhanjharpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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