

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30658 of 2024

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

Md Barik Son of Late Md. Jiyarul, resident of village-Panisal, P.S.-
Kishanganj, District-Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-07-2024

1. Heard learned counsel for the parties.

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

3. As per the prosecution case, 16 year old informant states that while she had gone to ease herself along with her mother who was at a close distance the petitioner forcibly took her 1 kilometre away and committed rape on her as a result of which she fell unconscious.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. It is surprising that though the informant states that her mother was close-by no alarm was raised. No such occurrence



has taken place. It was on the petitioner refusing marriage that he has been falsely implicated. The informant is a major and the petitioner is in custody since 23.11.2023. 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 of having committed rape on the 16 year old minor informant along with the same having been supported in her statement under section 164 Cr.P.C. as also by the witnesses whose statements find mention in the order of the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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