

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72286 of 2023

Arising Out of PS. Case No.-169 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

Md. Faruque @ Md. Umar Faruque Son Of Md. Mofil Resident Of Village
Chhoti Bathna Ps Mansahi District Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 341, 323, 376, 504, 506/34 of the Indian Penal Code.

Prosecution case in nutshell is that petitioner entered into the room of informant and forcibly ravished her. Family members of the informant caught hold the petitioner. It is further alleged that co-accused Md. Ikbāl came there with 10-15 unknown persons and he abused and assaulted the informant and took the petitioner with



him.

It is submitted by learned counsel for the petitioner is innocent and he has been falsely implicated in this case. There is an inordinate delay of two days in lodging the F.I.R. Petitioner and the informant was in touch since one month and the informant, who is a major girl, herself claimed that petitioner was offering her to solemnize marriage. Petitioner is in judicial custody since 14.08.2023.

Learned APP appearing on behalf of the State vehemently opposed the prayer of the petitioner and submitted that informant has supported the prosecution case, in her statement recorded under Section 164 of Cr.P.C. She has specifically stated that petitioner entered into her house and committed rape with her.

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.



Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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