

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73964 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- MAHILA PS District- Darbhanga

Md. Ibrahim @ Md. Mujahid Son of Abdul Sattar R/O Vill.- Shivram, P.S.-
Bahera, Dist.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shakina Khatoon D/O Md. Owand Alam R/O Vill.- Sundarpur, P.S.- Sadar,
Dist.- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhirendra Kumar Jha, Adv.
For the State	:	Mr.Lalan Kumar, APP
For the O.P. NO.2	:	Mr.Girish Chandra Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-10-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

2. Petitioner is apprehending his arrest in connection with
Darbhanga Mahila P.S. Case No.38 of 2024, registered for the
offence punishable u/s 376, 323, 504 and 506/34 of the IPC.

3. As per the prosecution case, the petitioner entered into the
house of the informant and committed rape upon her and assured
to get married and later on, several times, on the pretext of
marriage, he used to establish physical relation with her.
Thereafter, the informant got pregnant and the petitioner denied
for marriage.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.



He has been falsely implicated in this case due to ulterior motive. No such occurrence in the manner as alleged has ever taken place. It is submitted on 15.02.2024 itself, the parents of the victim and other responsible persons went to the house of accused, where, the parents of the petitioner warned the victim's side to go wherever they want but their son would not marry with the victim but yet, the F.I.R. has been lodged 01.05.2024, i.e. after delay of more than two and half months, without giving any plausible explanation regarding such delay, which shows the falsity of the present case. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail by submitting that there is specific allegation against the petitioner of committing rape upon the victim.

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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