

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75837 of 2023

Arising Out of PS. Case No.-175 Year-2023 Thana- MANIYARI District- Muzaffarpur

PRAVIN KUMAR RAY S/O JEET NARAYAN @ THAGA RAY RESIDENT
OF VILLAGE JAMHARUA, PS. MANIYARI, DISTRICT MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ms. X NA NA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Masoom Alam

For the Opposite Party/s : Mr.Abhay Kumar Roy

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 23-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Maniyari P.S. Case No.175 of 2023 registered for the offence
under Sections 376 of the Indian Penal Code.

3. The allegation against the petitioner is to
have committed rape upon the informant.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that there is land
dispute between the parties. It is also submitted that as per FIR
and medical report of the informant, no spermatozoa was found



in examination of cervical swab virginal swab, which falsifies the commission of rape upon the informant. It is further submitted that the petitioner is a man of clean antecedent and he is in custody since 05.06.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner and submitted that petitioner is named in the FIR and specific allegation of rape has been leveled against him. It is further submitted that trial is also commenced.

6. In view of the allegation as made, as petitioner is named in the FIR and FIR lodged soon after occurrence against this petitioner and also victim supported the allegation in her statement as recorded under Section 164 of the Cr.P.C., this Court is not inclined to grant bail to the petitioner, at present.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

(Ramesh Chand Malviya, J)

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