

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82622 of 2023

Arising Out of PS. Case No.-3 Year-2023 Thana- AURAI District- Muzaffarpur

Md. Arman @ Tinku @ Arman Babu SON OF ANWARUL HAQUE @
ANWARUL HAQ R/O VILLAGE- GHANSHYAMPUR, P.S.- AURAI,
DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in Aurai P.S. Case No. 03 of
2023 registered for the offences punishable under Sections 376,
448, 341, 323, 354, 427, 379, 504, 506, 34 of the Indian Penal
Code.

3. Allegedly, petitioner is said to have committed rape
upon the informant and made her obscene video. He also used to
blackmail her. It is further alleged that on 28.12.2022, the
petitioner along with other accused persons came at her house
armed with deadly weapons and started assaulting her and her
mother and committed loot in her house as well.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and he has committed no offence. No



such occurrence as alleged in the FIR has ever taken place. Petitioner has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. The real fact is that both the petitioner and informant were in love, but the father of the informant was not ready for solemnizing marriage of the informant with the petitioner and thereafter, marriage of the victim was solemnized with one person in Jamshedpur. But due to conduct of the victim, her marriage could not survived and she was divorced. After having divorce, the victim started pressurizing the petitioner for marriage and when the petitioner refused for the same, she filed the present case against him. Petitioner has no criminal antecedent as mentioned in para-3 of this application and he is in custody since 17.10.2023.

5. Learned APP for the State opposes the prayer for bail and submits that the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has supported the prosecution case, hence the petitioner does not deserve to be enlarged on bail.

6. In the facts and circumstances of the case as well as the statement of the victim recorded under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner on bail. The prayer for bail



is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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