

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83824 of 2023

Arising Out of PS. Case No.-268 Year-2023 Thana- RANIGANJ District- Araria

Md. Ijhar Alam Son of Md. Mujib Resident of Village - Jorganj Ekraha, Ward
No. 10, Police Station- Jankinagar, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Raniganj P.S. Case No. 268 of 2023, registered for the offences
punishable under Sections 376, 452 of the Indian Penal Code.

3. As per allegation, while the informant was sleeping
alone in the house and the door was opened, the petitioner entered
into and committed rape upon her on the point of pistol.

4. Learned counsel for the petitioner has submitted that
the he is innocent and has falsely been implicated in this case. He has
submitted further that the petitioner has been made accused on mere
suspicion. There is no direct evidence against him. He has also
submitted that there was love affairs between the victim and the
petitioner. The petitioner is a person of clean antecedent.

5. On the other hand, the learned APP has opposed the
prayer for bail and submitted that the statement of the witnesses at



Paragraph nos. 11, 12, 13 of the case diary have corroborated the statement as made by the informant in the FIR. It has further been submitted that the victim in her statement recorded under Section 164 of the CrPC, has supported the allegation as made in the FIR.

6. Considering the above-mentioned facts, and circumstances, I do not think it a fit case for grant of anticipatory bail.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner stands rejected.

(Nawneet Kumar Pandey, J)

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