

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88 of 2024

Arising Out of PS. Case No.-131 Year-2023 Thana- MANIHARI District- Katihar

SABBIR RANGI @ SAVIR RANGI SON OF DUKHAN RANGEER @ MD. SHEKH NUREJ RESIDENT OF VILLAGE - NARAYANPUR, P.S. - MANIHARI, DISTRICT - KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bhola Prasad, Advocate
For the Informant	:	Mr.Sanjeev Kumar Singh, Advocate
	:	Ms.Neha Rani, Advocate
For the Opposite Party/s	:	Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 08-05-2024 Heard learned counsel for the petitioner, learned counsel for the informant, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Manihari P.S. case No. 131 of 2023 instituted for the offences under Sections 366A, 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. Prosecution case, in short, is that the petitioner



made physical relation with the informant on the false pretext of marriage.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. He further submitted that the date of occurrence of the alleged incident is on 03.06.2023 whereas the FIR was lodged on 09.06.2023 after knowing the fact that mother of the petitioner has already lodged the case bearing Manihari P.S. Case No. 129 of 2023 against the informant's family members (Annexure-2 to the present bail application). Learned counsel further submitted that statement of the victim recorded under Sections 161 and 164 of the Cr.P.C. are not supported by the medical evidence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.07.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner and submitted that victim in her statement recorded under Sections 161 and 164 of the Cr.P.C. has clearly corroborated the prosecution version which is stated in the FIR.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of offence coupled with the fact that victim in her statement recorded under Section 164 has



supported the prosecution version, this Court is not inclined to grant bail to the petitioner.

- 7. Prayer is rejected.
- 8. Learned trial Court is directed to expedite the trial.

Alok Verma/- **(Rudra Prakash Mishra, J)**

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