

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2463 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- BARARI District- Katihar

Milan Yadav @ Milan Kumar Yadav Son of Late Lakho Yadav Resident of
village- Laxmipur PS- Barari District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Moti Kumari Daughter of Chhotelal Das village- Chhoti Bhaish Diyara, Ps-
Barari, Dist- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimal Kumar, Advocate
For the Opposite Party/s	:	Mr. Binay Krishna, A.P.P.
For O.P. No. 2	:	Mr. Ajit Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner, O.P. No. 2
and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Barari P. S. Case No. 11 of 2024 in a case registered for the
offences punishable under Sections 363(A), 366(A), 376, 323,
504, 354 of the Indian Penal Code, Section 4 of the Protection
of Children from Sexual Offences Act and Section 3(s)(2)(w) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

3. As per the prosecution case, this petitioner
kidnapped the informant and committed rape with her on pretext
of marriage.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner never kidnapped the informant nor committed rape with her. There is no injury mark on the body of informant to support the prosecution story. Petitioner is in custody since 22.07.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application and submitted that victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case and medical report also goes to show that victim was sexually assaulted.

6. Considering the nature of accusation and statement of the victim recorded under Section 164 Cr.P.C., prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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