

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37667 of 2025

Arising Out of PS. Case No.-368 Year-2023 Thana- BAISI District- Purnia

Md. Rabban Son of Karim @ Abdul Karim Resident of Karwa, P.S.- Baisi,
District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Adv.

For the Opposite Party/s : Mr.Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-08-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Baisi
P.S. Case No. 368 of 2023 instituted for the offences under
Sections 376 and 225 of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of committing rape upon the victim.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is the brother-in-law (Dewar) of the informant
and there is a land dispute between the parties. He further
submits that there is delay of ten months in lodging the F.I.R.



that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. Learned counsel for the petitioner further submits that the informant realizing her mistake has filed a petition in the learned court below stating therein that no such occurrence has ever taken place as alleged in the F.I.R. He further submits that both the parties have entered into compromise and a compromise petition has also been filed. The petitioner has no criminal antecedent and is languishing in judicial custody since 20.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The victim girl in her statement recorded under Section 164 Cr.P.C. has specifically supported the prosecution case and has made direct allegation against the petitioner of committing forceful rape upon her.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also taking into account the statement of the victim girl recorded under Section 164 Cr.P.C., this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today. If the trial is not concluded within the period of six months as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

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