

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42399 of 2025

Arising Out of PS. Case No.-172 Year-2024 Thana- THAKURGANJ District- Kishanganj

Rehan @ Rehan Alam Son of Mohammaddin Resident of Village - Milikbasti
Ruidhasa, P.S.- Thakurganj, District - Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. "X" C/o Masiruddin Resident of Village- Milkibasti Ruidhasa, P.S-
Thakurganj, District-Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hafiz Shahbaz Arif, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	Mr. Rajeev Ranjan, Advocate

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

ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. Learned counsel for the petitioner is permitted to
make necessary correction in the name of the Opposite Party
No. 2/Informant in course of day.

3. The petitioner seeks bail in connection with
Thakurganj P.S. Case No. 172 of 2024, instituted for the
offences punishable under Sections 126(2), 115(2), 89, 64,
65(1), 352, 351(2), 79 of the Bharatiya Nyaya Sanhita, 2023,
read with Sections 4 and 6 of the POCSO Act.



4. The prosecution case, in short, is that the petitioner had committed rape upon the informant on the pretext of marriage due to which she became pregnant and the petitioner refused to marry her.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner is cousin brother of the informant and the allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that the petitioner has been falsely implicated in this case due to land dispute between the parties. The petitioner is in custody since 03.05.2025 and has got no criminal antecedent.

6. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation of rape against the petitioner. It is further submitted that the informant has also supported the prosecution case in her statement recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence, the petitioner does not deserve the privilege of bail.



7. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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