

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46795 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- DAGARUA District- Purnia

Arshad Alam S/O Md. Hoda @ Hoda @ Hodda Resident of Rupaili, ward no. 12, Babhni, P.S- Dagarua, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Nasima Khatoon W/O Manowar Alam R/O Rupaili, Ward No. 12, P.S- Dagarua, Dist.- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 13-08-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dagarua P.S. Case No. 364 of 2024 dated 28.11.2024 registered for the offences punishable u/ss 126(2), 115(2), 76, 64, 352, 351(2) read with section 3(5) of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have committed rape on the informant's minor daughter while she went for call of nature. It is further alleged that the petitioner also offered Rs. 5,00,000/- to the informant for suppressing the matter.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim is a handicapped girl and her mother wanted to marry her with the petitioner and when the petitioner's marriage was solemnized with another girl, this false case has been lodged by the informant. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. It is further stated that the victim is minor girl. The victim in her statement recorded u/s 183 of the BNSS has stated that the petitioner took her to the *Jalawan* house and committed rape on her forcibly.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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