

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46570 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- BAISI District- Purnia

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Nafis Raza @ Md. Nafish Raza @ Nafish S/o- Late Mahfuz @ Mahfuz Alam
village - Bangama (Marwa), P.S.- Baisi, Dist. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Qumrul Hoda, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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

ORAL ORDER

4 03-11-2025 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. 125 of 2025 instituted for the offences under
Sections 140(3), 87, 127(1), 115(2), 119(1), 302(2), 3(5) of the
Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the petitioner along with
co-accused kidnapped the informant and stabbed informant's
brother with a sharp edged knife.

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
out of ulterior motive arising out of dirty village politics.



Learned counsel for the petitioner further submits that the present case has been registered by the informant just to save the skin from Baisi P.S. Case No. 122 of 2025 filed by the petitioner's side. The victim girl has denied for the medical examination. There is also vital contradiction in the statement of the informant and the statement of the witnesses which creates doubt in the prosecution case. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no criminal antecedent and is languishing in judicial custody since 29.04.2025 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 183 of the B.N.S.S. has made specific allegation against the petitioner of committing forceful rape upon her as also threatened her not to tell anyone about the rape. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner.

6. Having heard learned counsel for the parties and taking into account the nature and gravity of the offence as also the materials available in the case diary, 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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