

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72993 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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Anand Kumar @ Shivam @ Ritesh S/o Anil Kumar Singh R/o Village-
Gannipur, P.S.- Kaximohammadpur, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Deepak Kumar , S.I., University P.s., Muzaffarpur bihar
3. Shashi Ranjan, S.I., University P.s.- Muzaffarpur bihar
4. Deepak Kumar, Data Operator, University P.s., Muzaffarpur Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr.Rakesh Kumar Sharma, Adv.
For the Opposite Party	:	Mr. Bharat Bhushan, Adv.
For the State	:	Mr.Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 03-03-2025 Heard learned senior counsel for the petitioner,

learned counsel for the opposite party and learned A.P.P for the

State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Kazimohammadpur P.S.
Case No. 144 of 2024 dated 16.05.2024 registered for the
offences punishable u/ss 376 and 328 of the Indian Penal Code.

3. As per the prosecution case, on 11.05.2024, the
petitioner is alleged to have called the informant on telephone
and told her that she has been admitted in B.P.S.C. coaching and



on the same day when she came to Muzaffarpur then the petitioner forcefully kept her in his house situated at Gannipurand and he was putting pressure to marry and gave her tablet and thereafter, forcibly committed rape on her. She is still having pain in her private part and is bleeding. She somehow saved her life.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of five days in lodging the F.I.R. for the alleged offence and there is no explanation for this delay. Learned counsel has further submitted that the petitioner has been made accused in this case in connivance of his wife and the I.O. of this case. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has six criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 17.05.2024.

5. Learned A.P.P. for the State and learned counsel for the opposite party have vehemently opposed the bail petition of the petitioner and submitted that the specific allegation is against the petitioner who committed rape on the informant which is evident from the statement of the victim recorded u/s 164 of the Cr.P.C. in which she has stated that she had come to



Gannipur for preparation of B.P.S.C. and met the petitioner. She further alleged that the petitioner forcefully kept her in his house situated at Gannipurand and he was putting pressure to marry and gave her tablet and thereafter, forcibly committed rape on her. Learned counsel has further submitted that during the course of investigation, the I.O. recorded the statement of the prosecution witnesses including the house owner of the victim who have supported the prosecution case. The charge-sheet was submitted vide chrge-sheet no. 277/24 dated 27.06.2024 u/ss 376 and 328 of the I.P.C. against the petitioner as stated in para 14 of the counter affidavit filed on behalf of the opposite party namely Deepak Kumar, S.I. Muzaffarpur.

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 above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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