

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78270 of 2024**

Arising Out of PS. Case No.-89 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Dilip Ram S/O Late Lochan Ram R/O Village- Boria Dih, P.S- Bibhutipur,  
Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi W/O Ashok Ram R/O Village- Boria Dih, P.S- Bibhutipur,  
Distt.- Samastipur

... .. Opposite Party/s

**Appearance :**

|                          |   |                                 |
|--------------------------|---|---------------------------------|
| For the Petitioner/s     | : | Mr. Mritunjay Kumar, Advocate   |
| For the Opposite Party/s | : | Mr. Md. Ataur Rahman, A.P.P.    |
| For O.P. No. 2           | : | Mr. Mirityunjay Kumar, Advocate |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      22-01-2025                      Heard learned counsel for the petitioner, O.P. No. 2  
and learned A.P.P. for the State.

2. Petitioner apprehends arrest in case registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 4, 6 of the Protection of Children from Sexual Offences Act.

3. As per prosecution case, on 15.3.24 in the evening, while the daughter of informant went to bring grass, this petitioner caught and dragged her and committed rape with her.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to land dispute. As a matter of fact, informant had obstructed the



pathway of the petitioner as a result of which petitioner filed a case bearing Cr. Misc. No. 122 of 2024 dated 18.3.24 against the informant and in revenge, this false and concocted case has been lodged against petitioner. He further submits that in the medical report, no external or internal injury was found.

5. However, learned counsel for the informant vehemently opposed the bail application and submitted that this petitioner kidnapped and committed rape upon the minor daughter of the informant. Victim in her statement, recorded under Section 164 of the Cr.P.C., has supported the prosecution case. He further submits that the aforesaid case filed by the petitioner is an afterthought to save his skin from instant case.

6. In view of the gravity of the offence and statement of the victim recorded under Section 164 Cr.P.C., prayer for anticipatory bail of the petitioner is refused.

**(Prabhat Kumar Singh, J)**

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