

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79415 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- MAHILA PS District- Khagaria

Rakesh Yadav S/O Late Rajendra Yadav R/O Village- Peer Nagara Ward No. 6, P.S- Baidore, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-04-2025 Heard Mr. Manoj Kumar Singh, learned counsel for the petitioner and Mr. Murli Dhar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Khagraia Mahila P.S. Case No. 23 of 2024, F.I.R. dated 28.05.2024 for the offences punishable under Sections 506 and 376 of the Indian Penal Code.

3. According to prosecution case when the informant, namely, Arti Kumari was in alone in her house, in the meantime, her father came and forcibly made physical relation with her and locked her in room. Earlier also victim's father made physical relation with her forcefully and also threatened her to kill if she tells it to any one.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that date of occurrence as alleged in the F.I.R.

5. The learned Additional Public Prosecutor on the basis of material available on record and case diary has vehemently opposed the prayer for bail of the petitioner and submits that allegation as alleged in the F.I.R. is very serious in nature and as per the allegation, the father has committed rape upon her daughter and apart from that the statement of the victim was recorded under Section 164 of Cr.P.C. in which she fully supports the case of the prosecution. The Medical Report of the victim also suggests that she has been sexually assaulted.

6. Considering the allegation as alleged in the F.I.R and the material available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Khagraia Mahila P.S. Case No. 23 of 2024 pending in the court of Additional Chief Judicial Magistrate-I, Khagaria.

7. Prayer is refused.

(Rajesh Kumar Verma, J.)

Jyoti Kumari/-

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