

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77560 of 2025

Arising Out of PS. Case No.-2274 Year-2010 Thana- PURNIA COMPLAINT CASE District-
Purnia

=====

Bechan Son of Abul @ Habul Resident of Village - Bangama, P.S. - Baisi,
District – Purnea. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Rusia D/O Sk. Yusuf Resident of Village - Bangama, P.S. - Baisi,
District - Purnea. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raj Kumar, Advocate
For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Complaint Case No. 2274 of 2010 registered

for the offences punishable under Section 376 of the Indian

Penal Code, 1860.

3. As per complaint, the allegation against the

petitioner is to establish physical relationship with the

complainant aged about 19 years.

4. It is submitted by learned counsel appearing on

behalf of the petitioner that the complainant was in



relationship for long two years with co-accused S.K. Julfikar and when for any other social reason marriage of the complainant could not solemnize with Julfikar, the present petitioner was implicated with allegation that he alongwith co-accused Julfikar also committed rape upon her. It is submitted that the petitioner implicated only for the reason that he is the co-villager and friend of the main co-accused Julfikar. It is also submitted that petitioner is differently abled person since last 20 years and his physical condition is not suggesting that he may commit rape upon complainant as alleged. Petitioner claimed clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that this is not a case of love affairs or relationship *qua* petitioner as same is with co-accused Julfikar. It is submitted that when marriage of the complainant could not solemnize with co-accused Julfikar, thereafter this petitioner alongwith co-accused in very planned and formulated manner committed rape upon complainant for which after proper inquiry, the learned trial court took cognizance.

6. In view of aforesaid factual submissions and by



taking note of fact as the factual aspect of this case nowhere suggest that the complainant was in relationship or was under promise of marriage with this petitioner, accordingly, the prayer of anticipatory bail of the petitioner stands rejected for the present.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

