

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79788 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- RAUTA District- Purnia

Md. Arshad Son of Md. Afaq Resident of Village - Sirsi, PS - Rauta, District-
Purnia Petitioner/s

Versus

1. The State of Bihar
2. Sayaka Begum Late Md Shahid Resident of Village - Sirsi, PS - Rauta
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-04-2025 Heard Mr. Rohit Kumar, learned counsel for the
petitioner and Ms. Madhuri Lata, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Rauta P.S. Case No. 107 of 2024, F.I.R. dated 02.05.2024 for the offences punishable under Sections 341, 323, 376, 504, 506 and 34 of the Indian Penal Code and later added Section 6 of the POCSO Act.

3. According to prosecution case, the informant stated that the petitioner for nine long months made physical relation with her by giving her false hope for marriage during this time she became pregnant.

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. As per the allegation, the petitioner committed rape upon the victim and the victim became pregnant.

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 the statement of the victim was recorded under Section 164 of Cr.P.C. in which she fully supports the case of the prosecution and the medical team found that the victim was pregnant on the day of her medical examination. Apart from that in the medical report also found that she has been sexually assaulted and as per report of the medical examination on the date of occurrence the victim was minor.

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 Rauta P.S. Case No. 107 of 2024 pending in the court of Judicial Magistrate, Purnia.

7. Prayer is refused.

(Rajesh Kumar Verma, J.)

Jyoti Kumari/-

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