

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4232 of 2025

Arising Out of PS. Case No.-57 Year-2024 Thana- Bariyarpur District- Muzaffarpur

Manohar Sah son of Late Janki Sah village- Bidhipur, Ps- Bariuarpur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Raj, Advocate
Mr. Ankit Kumar, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP
For the Informant : Mr. Amit Anand, Advocate
Mr. Deep Shekhar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

7 12-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner is in custody in connection with
Bariyarpur P.S. Case No.57 of 2024 registered for the offences
punishable under Section 376 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged
to have committed rape with the informant's daughter and who
is mentally unfit, deaf and dumb.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that informant has given a written application after
delays of fifty days without any plausible explanation. He
further submits that petitioner is a 70 years old, senior citizen
who is also suffering from various deceases. He further submits



that petitioner and informant are neighbours and due to personal grudge, the present FIR has been lodged. He next submits that petitioner has got clean antecedent and he is in custody since 17.08.2024.

5. However, learned APP for the State as well as learned counsel for the informant, opposes the prayer for regular bail of the petitioner and submits that there is serious allegation levelled against the petitioner and he along with his family members used to threat the informant after the said incident. He next submits that all the witnesses have supported the prosecution story.

6. Considering all facts and circumstances of the case and submissions made on behalf of both the parties and also the fact that there is serious allegation levelled against the petitioner of committing rape upon the informant's daughter, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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