

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25268 of 2019**

Arising Out of PS. Case No.-22 Year-2019 Thana- AMDABAD District- Katihar

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MANI RAM PAL @ KALU PAL @ MANI RAM PAUL Son of Late Jagdish  
Pal Resident of Pal Tola, Amdabad, P.S.- Amdabad, Distt - Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Rajiv Nayan (App 231)

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      31-07-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner who is in custody since 03.02.2019 in  
connection with Amdabad P.S. Case No.22 of 2019 registered  
for the offence under Section 376 of the Indian Penal Code has  
filed this application for bail.

The allegation as per the F.I.R. is that the petitioner  
assured the informant that if she came to him, he would give her  
medicine as a result of which she would conceive. On the date  
of occurrence the informant along with her husband and parents  
visited the house of the petitioner. Her husband and father  
remained outside while she along with her mother-in-law were  
taken inside. Thereafter it is alleged that her mother was doped  
and the petitioner forcibly committed rape on the informant.



It is submitted by learned counsel for the petitioner that from the reading of the F.I.R. it would transpire that the story is false and concocted. Admittedly, her husband and father-in-law were also present along with her mother-in-law. It was not the petitioner but the informant who had voluntarily gone to him to get herself treated. It is further submitted that there is no evidence of rape nor any external injury was found on the body of the informant. The investigation has already concluded and the petitioner is in custody since 03.02.2019 and, as such he be enlarged on bail.

Having heard learned counsel for the parties and taking into consideration the fact that in her statement under section 164 of Cr.P.C. the informant has categorically stated that the petitioner committed rape on her together with the material that has transpired in the medical report, the Court is not inclined to enlarge the petitioner on bail.

Accordingly, the application for bail of the petitioner is rejected.

**(Partha Sarthy, J)**

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