

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39260 of 2021**

Arising Out of PS. Case No.-84 Year-2021 Thana- SUPAUL District- Supaul

LAL MOHAMMAD S/O BUCHHI ANSARI R/O VILLAGE-SONAK,
WARD NO. 9, P.O, P.S AND DISTRICT-SUPAUL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravi Shankar, Advocate.

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

3 28-02-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

The petitioner, who is in custody since 02.02.2021
seeks regular bail in connection with Supaul P.S. Case No. 84
of 2021, for the offence punishable under Section 376 of Indian
Penal Code.

The allegation against the petitioner is of
committing rape upon the informant.

Learned counsel appearing on behalf of the
petitioner submits that petitioner has not committed any
offence as alleged and he has falsely been implicated in this
case. He further submits that the victim does not want to



prosecute this matter and in this regard she has filed an affidavit dated 09.06.2021. Petitioner has clean antecedent and he is in custody since 02.02.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforesaid submission of the petitioner and without going into merits of the case, the learned trial Court is directed to record the statement of the victim girl, if already not recorded, as well as the statement of mother and father of the victim and the petitioner, and all the other necessary witnesses and after recording their statement, if the Court below finds it proper in facts and circumstances of the case, shall pass necessary order in accordance with law, without being prejudiced by his earlier order dated 25.03.2021.

If the Court below is prima facie satisfied to release the petitioner on bail, the petitioner, above named be released on bail on such terms and conditions as the court below may deem fit and proper.

Accordingly, with the above observation and direction, the present petition is disposed of.

(Purnendu Singh, J)

mantreshwar/-

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

