

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37133 of 2022

Arising Out of PS. Case No.-34 Year-2021 Thana- AMAUR District- Purnia

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1. Md. Zainul Abedin @ Zainul Abedin Son Of Late Noor Mohammad R/O Village- Madarsa Tola, Halalpur, P.S.- Amour, District- Purnea
 2. Md. Saddam @ Md. Shahzad Raza Son Of Late Islam R/O Village- Chhopra, P.S.- Baisi, District- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bhola Prasad
For the Opposite Party/s :	Mr. Arbind Kumar Pandey
For the Informant	Mr. Ram Prawesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-08-2022 Earlier prayer for bail of the petitioner no. 2 has
already been dismissed as withdrawn.

Heard learned counsel for the petitioner, informant and
learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of non-
removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
324, 379, 376, 458, 459, 504, 506, 34 of the Indian Penal Code.

Petitioner along with other are said to have committed
rape with the wife of the informant and also looted away some



articles.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case due to land dispute. He submits that there is case and counter case between the parties. He submits that after investigation, the police has filed the final form but the learned court below differ the final form and taken cognizance against the petitioner. He further submits that petitioner has three criminal antecedent as stated in para-3 of this application.

Learned APP for the State and learned counsel for the informant oppose the prayer for bail and submit that 82 and 83 has been issued against the petitioner. It is also submitted that the victim has supported the prosecution story in her statement recorded under Section 164 of the Cr.P.C.

Considering the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Amour P.S. Case No. 34 of 2021, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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