

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40627 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- AMAS District- Gaya

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Azaz Ahmed S/o Late Kmaluddin Ahmad R/o Village - Chhotka Bahera, P.S.-
Amas, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Amas P.S. Case No. 22 of 2022 lodged under Sections 376, 386
of the I.P.C.

As per the prosecution case, the informant who is
mother of a child having 1 ½ year was alleged to be raped by
the accused on threat of killing his son.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that petitioner is the relative of the informant and due to
grudge of the land, the present case has been intentionally filed.

Counsel further submits that petitioner is in custody since 07.03.2021 and basically relative of the informant.

Learned counsel for the State vehemently opposes the prayer for bail and submits that the allegation of rape is there in the F.I.R. and subsequently, under Section 164 of Cr.P.C., exactly with the same version, the informant has disclosed the said story before the Magistrate.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, the bail petition of the petitioner is hereby rejected.

The Trial Court is directed to expedite the trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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