

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8372 of 2023

Arising Out of PS. Case No.-134 Year-2021 Thana- MAHILA P.S. District- Araria

MD. AFTAB Son of Wadus Resident of Village- Mainapur, P.S.- Araria,
District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 376, 448, 506/34 of the
Indian Penal Code.

The allegation against the petitioner along with
another is of raping the informant, when the petitioner found her
alone in the house.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner's grand-father and informant's
grand father-in-law are co-sharer of the land of joint Khatiyar
and since then, land dispute for share and possession of land is
continuously coming between the parties. He submitted that, in



order to pressurize the petitioner and his family inmates to have illegal gain of the disputed land, the informant's family inmates very cunningly and cleverly lodged this case after the delay of 17 days. He submitted that the victim is a married lady, who is aged about 30 years. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 22.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Araria in connection with Araria (Mahila) P.S. Case No. 134 of 2021.

(Sunil Kumar Panwar, J)

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