

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33461 of 2022

Arising Out of PS. Case No.-65 Year-2022 Thana- MOTIPUR District- Muzaffarpur

MD. SAJJAD S/o Md. Rahmat R/o village- Barzi Pachhiyari Tola, Motipur,
P.S.- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-01-2023 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

Learned counsel for the petitioner is directed to
implead the informant as Opposite Party No. 2. Amendment to
this effect be made forthwith.

The petitioner seeks bail in connection with
Motipur P.S. Case No. 65 of 2022 registered for the offences
punishable under Sections 376, 504, 506/34 of the Indian Penal
Code.

As per prosecution case, petitioner is alleged to
have committed rape upon the victim/informant. It is further
alleged that petitioner induced the victim/informant to marry



with her.

Learned counsel for the petitioner submits that petitioner is in custody since 24.03.2022. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner is quite innocent and has committed no offence as alleged in the F.I.R.

The learned A.P.P. for the State and learned counsel for the informant vehemently oppose the prayer for bail of the petitioner and submit that there is a direct allegation against the petitioner to commit wrong against the victim and same is supported and corroborated by the statement of victim recorded under Section 164 of the Cr.P.C. They further submit that there is an act of inducement on part of the petitioner as same has been narrated in the story of prosecution and same is also quite evident from the statement under Section 164 of the Cr.P.C. Learned counsel further submits that the victim/informant is minor.

Considering the facts and circumstances of the case, nature of accusation coupled with statement of victim recorded under Section 164 of the Cr.P.C. and materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner



stands rejected.

However, if trial is not concluded within nine months from the date of receipt of the order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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