

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43438 of 2023

Arising Out of PS. Case No.-443 Year-2022 Thana- NAANPUR District- Sitamarhi

MD. WASEEM @ MD WASHEEM S/O LATE MOHAMMAD NOOR
ALAM R/O VILLAGE- BATH ASLI, PS. NANPUR, DIST. SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shamimul Hoda, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 376, 504, 506, 34 of the Indian Penal Code.

3. Allegedly, petitioner is said to have committed rape of the informant on the pretext of marriage.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to local dirty politics. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that the statement of the victim has been recorded under Section 164 of



Cr.P.C. in which she stated that she has been living with the petitioner in live-in relationship since last two years. He further submits that as per the medical report, the victim was found major, as her age was found more than 18 years. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as considering the statement of the victim recorded under Section 164 Cr.P.C., the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Nanpur P.S. Case No. 443 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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