

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43553 of 2022

Arising Out of PS. Case No.-105 Year-2021 Thana- MAHILA PS District- Darbhanga

Sharfaraz Son Of Md. Alamgir @ Md. Alamgir Ansari R/O Village-
Narauchhidih, P.S.- Jalley, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 13-03-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 376, 506, 379 of the Indian Penal Code.

Prosecution case in brief is that one Safi Sahid Ali committed sexual assault upon the informant on the pretext of marriage.

It is submitted that petitioner is not named in the FIR. Specific accusation of sexual assault is against Safi Sahid Ali and the only allegation against this petitioner is that he along with Safi Sahid Ali tried to kill her when she refused to abort her pregnancy. Petitioner has been falsely implicated in this case due to land dispute between the parties. Moreover, the victim



girl in her statement under Section 164 Cr.P.C has nowhere alleged that this petitioner has committed sexual assault upon her. Petitioner claims clean antecedent.

Considering the facts aforesaid and the fact that specific accusation is against another accused person, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Darbhanga in connection with Mahila P.S. Case No. 105 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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