

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50950 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- SAKATPUR District- Darbhanga

Md. Sartaz @ Sartaz Alam S/O Md. Hamidul Resident Of Village- Baika,
P.S.- Sakatpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Kamaluddin

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under Section

376 of the Indian Penal Code.

It is a case of commission of rape to the

informant by the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. It is further submitted that

on the alleged date, the petitioner was not present at the



place of occurrence. The informant has deserted her husband and the medical report also does not corroborate the prosecution version. The petitioner is languishing in custody since 13.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that the victim in her 164 Cr.P.C statement has specifically alleged against the petitioner that he forcefully committed rape upon her. The independent witnesses have also supported the case of the prosecution.

Considering the fact that thrust of accusation is against the petitioner, this Court is not inclined to grant bail to the petitioner.

The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial



and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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