

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56849 of 2023

Arising Out of PS. Case No.-1031 Year-2022 Thana- BIHTA District- Patna

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Md. Shabir @ Md. Shabir Ansari @ Chhotu Son Of Salauddin Ansari @ Md. Salauddin R/O- Machhalpur Lai Ps- Bihta Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh
For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 07-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 376(D), 379/34 of the Indian Penal Code.

It is a case of commission of gang rape against the informant by all the F.I.R named accused persons including 2-3 unknown persons.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely



been implicated in this case. The petitioner is not named in the F.I.R and his name subsequently sprang up on the confessional statement of co-accused Prince and Rahul which has no evidentiary value in the eye of law. The victim herself in her 164 Cr.P.C statement did not whisper the name of the petitioner. The petitioner has still not been put on T.I.P. The petitioner is languishing in custody since 10.10.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge, 1st, Patna in connection with Bihta P.S.



Case No. 1031 of 2022 (Sessions Trial No. 377/2023).

(Sunil Kumar Panwar, J)

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