

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55458 of 2023

Arising Out of PS. Case No.-54 Year-2021 Thana- MAHILA P.S. District- Araria

Haroon @ Md Haroon S/O Late Mohsim @ Mosim R/O Village- Uda, Ward
No. 05, Ps. Jokihat (MAHALGAON), Dist. Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-09-2023 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 447, 376(D), 504, 506/34 of the Indian Penal
Code.

It is alleged against the petitioner that
petitioner and co-accused Md. Sajjad had established
forceful physical relationship with the informant while
she was alone in her house.

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



been implicated in this case. For the alleged occurrence of 08.05.2021, the F.I.R was registered on 12.05.2021 without explaining the delay. It is further submitted that co-accused Md. Sajjad being uncle-in-law of the informant is aged about 70 years and even unable to do his daily routine life. The petitioner himself is cousin of the husband of the informant and he has been roped in the present case in the background of previous land dispute. The police, after investigation did not submitted charge-sheet against the petitioner under Section 376(D) of the Indian Penal Code. At earlier point of time, the husband of the informant committed rape upon the minor daughter of Md. Sajjad for which Mahila P.S. Case No. 53 of 2021 was registered against him. Hence, in order to put pressure, this false case has been registered against the petitioner and Md. Sajjad. The petitioner is languishing in custody since 05.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



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 Chief Judicial Magistrate, Vth, Araria in connection with Mahila P.S. Case No. 54 of 2021.

(Sunil Kumar Panwar, J)

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