

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57979 of 2022**

Arising Out of PS. Case No.-126 Year-2022 Thana- MAJHAULIA District- West Champaran

SHEIKH OSI AHMAD SON OF SHEIKH TAIYAB R/O VILLAGE-
SONBARSA, P.S.- GOPALPUR, DISTT.- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 25-04-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Majhauria P.S. Case No. 126 of 2022, registered for the offences punishable under Sections 341, 354(B), 366, 376, 387, 380, and 506 of the Indian Penal Code.

As per allegation, the petitioner kidnapped the informant and committed rape for three consecutive dates. He also made videography.

The learned counsel for the petitioner has submitted that the informant herself had fled away with the petitioner, after leaving her children and husband. Even mother of the informant in paragraph no. 7 of the case diary has stated that she fled away with the petitioner, who is a person of clean antecedent and is under custody since 17.07.2022.

On the other hand, the learned APP and the learned



counsel for the informant have opposed the prayer for bail and submitted that after gagging the mouth of the informant, the petitioner kidnapped her and committed rape upon her.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah West Champaran in connection with Majhaulia P.S. Case No. 126 of 2022/, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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