

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70669 of 2022**

Arising Out of PS. Case No.-294 Year-2022 Thana- NAANPUR District- Sitamarhi

MD. ASJAD RAZA FARSI @ ASJAD RAZA FARSI Son of Md Hafij
Ahmad Hakkani R/v- Pokhrai, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Rina Sinha, Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-05-2023 Heard learned counsel for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 341, 323, 354, 354 (B),
504, 506, 34 of the Indian Penal Code.

It is alleged that informant's minor daughter aged 13
years along with cousin brother aged 7 years left to board bus
for going coaching as soon as they reached near Bamboo
clumps, petitioner began to molest her forcibly with an intention
to commit rape with her, on protest he assaulted her and her
cousin. On having seen the informant the accused persons fled



away. It is further alleged when the informant went to the house of the petitioner to make complain about the occurrence, petitioner and his family members abused and assaulted the informant causing her injury.

Learned counsel for the petitioner submits that F.I.R has been lodged after delay of 3 days and there is no explanation for the same. Unexplained delay in lodging the FIR casts serious doubt over the genuineness of the prosecution. Due to previous enmity and pending land dispute between the parties, the petitioner has been made accused in this false and concocted case. There is no injury report on the record. The petitioner claims clean antecedent.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, 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 S.d.J.M Pupri, Sitamarhi or concern court Sitamarhi in connection with Nanpur P.S. case no. 294 of 2022 subject to the conditions laid down under section 438(2) of the Code of



Criminal Procedure.

(Prabhat Kumar Singh, J)

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