

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72458 of 2022

Arising Out of PS. Case No.-190 Year-2021 Thana- TURKAULIYA District- East
Champaran

HAZARAT ALI @ PARDESHI Son of Mazrul Haque @ Bhutta R/v-
Janerwa, P.S.- Banjaria, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 376, 385 and
120B of the Indian Penal Code, Sections 3/4 of the D.P. Act and
Sections 4/6 of the POCSO Act.

3. The allegation against the petitioner along with
other is of committing rape upon the informant on the point of
pistol and threatened not to disclosed about the occurrence to
anyone.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. Both the parties are neighbours due to which there are bickering between both the parties. There is inordinate delay of two years in lodging of the FIR, without any cogent ground. The petitioner has no concern with the victim girl and never made physical relation with her. A supplementary affidavit has been filed on behalf of the petitioner by referring to the statement made in the para-2 that all the disputes were amicably settled and good sense has now been prevailed between the parties and then both the parties entered into compromise. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 17.10.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with



Turkauliya P.S. Case No. 190 of 2021.

(Sunil Kumar Panwar, J)

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