

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1627 of 2023

Arising Out of PS. Case No.-36 Year-2022 Thana- PIPRASI District- West Champaran

ISLAM ANSARI Son of Late Mulajim Ansari R/V- Kothilawa, Sonartoli, P.S-
Kotwali Padarauna, Dist- Kushi Nagar (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Umesh Lal Verma

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

ORAL ORDER

2 28-04-2023 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 Sessions Trial No. 625 of 2022, arising out of Piprasi P.S.
Case No. 36 of 2022, registered for offence punishable under
Section 376 of the Indian Penal Code.

The learned counsel for the petitioner has submitted
that it has wrongly been mentioned in the FIR that the petitioner
has committed rape upon the victim. As a matter of fact, the
field of the petitioner is situated nearby the field where the
alleged victim was sitting and when he asked the reason for
sitting there, he has falsely been implicated in this case. The
learned counsel, by filing the certified copy of order-sheet dated
21.05.2022 of the learned court below, has also submitted that



the victim did not support the allegation in her statement under Section 164 of the Cr. PC. and she has stated that the petitioner did not commit any evil act against her, only he caught hold of her hand.

On the other hand, the learned APP has opposed the prayer for bail.

The learned trial court is directed to verify the recitals of order-sheet dated 21.05.2022 from the original record and if it is found so, 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 Additional Sessions Judge-I, Bagaha, West Champaran in connection with Sessions Trial No. 625 of 2022, arising out of Piprasi P.S. Case No. 36 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)

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