

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4955 of 2024**

Arising Out of PS. Case No.-55 Year-2022 Thana- MAHILA P.S. District- Muzaffarpur

Md. Sabir Hussain S/O Md. Sobrati @ Subrati Miya @ Sobrati Miyan  
Village- Kamalpur Bithraul, Ps. Baruraj, Dist. Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      07-02-2024                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and counsel for the informant.

2. The petitioner seeks regular bail in connection with  
Mahila P.S. Case No. 55 of 2022 lodged under sections 341, 376  
and 493 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been  
lodged for commission of rape against the petitioner since last  
five years. The said F.I.R. has been lodged on 11.08.2022.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence. He submits  
that the complaint case has been lodged by the same informant  
bearing Complaint Case No. 1121 of 2022 against the petitioner  
and others under section 498A of the I.P.C. and 3/4 of the  
Dowry Prohibition Act.



5. Counsel further submits that it is a unique case in which complaint was filed on 03.08.2022 as husband and F.I.R. has been lodged on 11.08.2022 as stranger.

6. Counsel further submits that petitioner is in custody since 08.09.2023 having clean antecedent.

7. Learned counsel for the informant vehemently opposes the prayer for bail.

8. Learned counsel for the State opposes the prayer for bail and submits that the F.I.R. has been supported by statement under section 164 of the Cr.P.C.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Mahila P.S. Case No. 55 of 2022, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

**(Dr. Anshuman, J.)**

Prakashmani/-

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