

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7674 of 2024**

Arising Out of PS. Case No.-41 Year-2023 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Sazid Ali @ Md. Sajid Miya, S/o -Shaukat Ali, R/o Vill - Bare, P.S. - Bhabua,  
Dist. - Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

- 2      19-02-2024                      1.    Heard learned counsel for the petitioner and the learned APP for the State.
2.    Petitioner seeks regular bail in connection with Mahila P.S. Case No. 41 of 2023 dated 14.08.2023 registered for the offences punishable under Sections 376 and 448 of the Indian Penal Code.
3.    The main submissions advanced by the learned counsel for the petitioner are that the petitioner has got fair and clean antecedent and has been languishing in jail since 23.11.2023, in fact there was love affair in between the petitioner and the victim, who herself lodged the FIR but there is serious contradiction in between the prosecution's story written by the victim in the FIR and her statement



recorded before the Judicial Magistrate as according to the FIR, the accused/petitioner managed to flee away when the victim's relatives reached at the place of occurrence but as per the victim's statement recorded under Section 164 of Cr.P.C., the petitioner was caught hold by the victim's relatives and further the victim developed a new story to implicate this petitioner. Further submission is that during investigation, the victim's brother Sahwan Miyan revealed in his statement recorded under Section 161 of Cr.P.C. that he was also sleeping in the same room with the victim when the alleged occurrence took place but the said fact was not revealed by the victim in the FIR. Further submission is that against the petitioner, the investigation has been completed.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly taking into account the petitioner's custody period and completion of the investigation against him as well as his young age, this court is inclined to accept his bail prayer. Accordingly, let the petitioner named-above be released 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 concerned Court in connection with Mahila P.S. Case  
No. 41 of 2023.

(Shailendra Singh, J)

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