

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13803 of 2024**

Arising Out of PS. Case No.-269 Year-2023 Thana- AAJAM NAGAR District- Katihar

Sayed Alam @ Saiyad @ Saiyad Aamal, S/O Md. Dhamali, R/O Village-
Banga Bari Chaulhar, P.S.- Aajam Nagar, Distt. Katihar.

... .. Petitioner/s

Versus

1.The State of Bihar
2. Sabnam Aara, W/o Md. Ansar, R/o Village- Azamnagar, P.S. Salmari O.P.,
District-Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Azam Nagar (Salmari
O.P.) P.S. Case No. 269 of 2023 dated 24.07.2023 registered for
the offences punishable under Section 376 of the Indian Penal
Code.

3. As per the prosecution case, the petitioner is alleged
to have committed rape on the informant by showing the fear of
knife while she was going outside of her house for call of
nature.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The petitioner and the informant both are distant relative. The informant is a matured and married lady who is mother of five children. The medical report does not support the prosecution case. As per medical report, no injuries are present in her body or in or around her private parts. The petitioner has a clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that there is specific allegation of committing rape with the informant against the petitioner and the informant in her statement recorded u/s 164 of Cr.P.C. has supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Azam Nagar (Salmari O.P.) P.S. Case No. 269 of 2023, with a condition:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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