

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17480 of 2024

Arising Out of PS. Case No.-305 Year-2023 Thana- PIRPAINTI District- Bhagalpur

Md. Tahir, S/O Md. Mosaheb @ Md. Mosahab R/O Village- Pirpainti Bazar,
P.S- Pirpainti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Pirpainti P.S. Case No.305/2023 (S. Tr. No. 4/2024) lodged on
03.09.2023 under Sections 363, 365, 376, 34 of the Indian Penal
Code.

3. As per the prosecution case, the FIR has been
lodged against five named accused persons, including the
present petitioner alleging therein that all the accused persons
have kidnapped the victim and, thereafter, the petitioner
committed rape upon her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner and the informant both are residents of the same



locality and well known to each other. In fact, a land dispute is going on between the parties for which Title Suit No. 116 of 2014 has been filed in which the informant is a party, and with a view to create pressure in that suit, the present FIR has been lodged with the frivolous allegation. However, the petitioner is ready to fulfill whatever the conditions may be imposed upon him. The petitioner is in custody since 04.09.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. 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 Additional Sessions Judge-1, Bhagalpur, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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