

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25698 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Md. Kadir Son of Late Shahid Resident of Village- Purani Chawani, Ward
No. 18, P.S. and P.O. Barhiya, District- Lakhisarai, Bihar Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Azim Uddin

For the Opposite Party/s : Mr.Rina Sinha

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

ORAL ORDER

5 05-09-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Lakhisarai Mahila P.S. Case No. 98 of 2023 for the
offences punishable under Sections 376 and 506 of the Indian
Penal Code.

3. The victim has made allegation against the
petitioner that he had brought her in a hotel and committed rape
upon her.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that there is no material at all
against the petitioner except the statement of the victim. He has
also submitted that during course of investigation, the statement
of hotel manager has been recorded and the hotel manager
apprised the police party that on the day of occurrence though



the petitioner had come in that hotel, but none had come with him. The hotel manager has also stated that the CCTV was not functional on the date of occurrence. The petitioner is a person of clean antecedent and is under custody since 07.10.2023.

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

6. A report regarding stage of trial was called for from the court below, which has been received and available with the record, which shows that not a single witness has been examined till date whereas the charges were framed on 30.01.2024.

7. Considering the above-mentioned facts and circumstances, 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 Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 98 of 2023, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

8. The petitioner shall cooperate in the disposal of the trial and make himself available on each and every



date fixed at the trial, and if he fails to appear on two consecutive dates, without any reason or unavoidable circumstances, the learned court below shall be at liberty to cancel his bail bond.

(Nawneet Kumar Pandey, J)

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