

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50517 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- POTHIA District- Kishanganj

Saddam @ Shamsad Alam, Son of Ishak @ Md. Isak, Village- Gunjariya PS-
Islampur Dist- Uttar Dinajpur W.B

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samina Khatoon D/o- Ibrahim Village- Karbala P.S- Pothia Dist- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-09-2024 Heard Learned Counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Pothia P.S. Case No. 53 of 2024 registered on 12.03.2024 for the offenses punishable under Sections 363, 376A and 376D of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

3. As per the prosecution, the FIR has been lodged against two named accused persons including the petitioner alleging therein that they have kidnapped the Informant and taken her to Delhi and raped her.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence.



The FIR has been lodged after six months of the date of alleged occurrence. Counsel further submits that the petitioner has clean antecedent.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that case diary and statement of the victim recorded under Section 164 of the Cr. P.C. have been called for.

6. Upon perusal of the 164 Cr. P.C. statement, it transpires to this Court that there is direct allegation against the present petitioner and other about commission of the crime.

7. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Pothia P.S. Case No. 53 of 2024, pending before the learned Additional Sessions Judge, 1st -cum-Special Judge, Kishanganj is hereby rejected.

(Dr. Anshuman, J)

Ashwini/-

U		T	
---	--	---	--

