

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55411 of 2024

Arising Out of PS. Case No.-84 Year-2023 Thana- AAJAM NAGAR District- Katihar

Md. Imtiyaz Son Of Md. Jahrul Village- Teghra, Ps- Azamnagar, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Musowir, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 25-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Aajam Nagar P.S. Case no. 84 of 2023 registered under sections 420, 341, 323, 354B, 427 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that having differences in her marriage with her husband, she started having an affair with one Md. Tausif. They planned to go to Mumbai. She was reached to the station by this petitioner and she proceeded with Md. Tausif to Mumbai. It is further stated that as the documents with respect to her *talak* was demanded, she returned. However, Md. Tausif escaped. The informant states that on going to the house of Md. Tausif she was assaulted by the four named accused persons including the petitioner



herein. Clothes were torned and she was somehow save on the intervention of the villagers.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. From the contents of the F.I.R it would be evident that the main allegation is against Md. Tausif and the petitioner has been implicated only for the reason that he happens to be his brother-in-law. There was no reason for the petitioner to assault as alleged in the F.I.R and the investigation against the accused is still pending. The petitioner has no criminal antecedent. It is finally submitted that the main accused Md. Tausif has been enlarged on regular bail. The petitioner has no criminal antecedent and undertakes to cooperate in the case.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R wherein the petitioner along with three others are said to have specifically assaulted with the informant, to have torn her clothes and outrage her modesty, the Court is not inclined to enlarge the petitioner on anticipatory bail and the application is rejected.

7. The petitioner is directed to surrender in the learned



trial Court within a period of four weeks.

(Partha Sarthy, J)

Harsh/-

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

