

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60894 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- ADAPUR District- East Champaran

Koran Hawari son of Maksood Hawari @ Makasud Miya Village-Tadwa Tola
Kachurwary ,P.S-Harpur ,District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 342, 376, 34 of the Indian Penal Code and Section 67 of the I.T. Act.

3. Petitioner along with other accused persons are said to have committed rape with the informant and made the video of it.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that occurrence took place on 07.07.2023 but the FIR has been lodged on 21.07.2023 after delay of 14 days without explaining any reasonable cause of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.



5. Learned APP for the State opposes the prayer for bail submits that all the witness have supported the prosecution case. He submits that the victim, in her statement under Section 164 of the Cr.P.C., has stated that Sadam committed rape with her and Koraun was making video.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Adapur (Harpur) P.S. Case No. 224 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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