

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64166 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- SIKARPUR District- West Champaran

Sahid Anwar @ Sahid Anvar Son of Aslam Mian @ Shekh Aslam Resident of
Village- Kukura PS -Sikarpur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar

For the Opposite Party/s : Mr. Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 323, 366,
354(B), 376, 379, 504 and 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that she had gone to the house of her aunt about 11
months back, where she came in contact with the petitioner and
petitioner on pretext of marriage established physical relation,
but did not marry her rather all the accused persons threatened
her, next alleges that on 19.02.2023, she married Wasir Ahmad
of Jammu & Kashmir and went to her matrimonial home, but
petitioner along with his *bhabhi* came to Jammu & Kashmir and



enticed her and brought her along with him to the railway station where he snatched all her jewellerys and fled, accordingly, she called and informed her father who in turn informed Ramnagar P.S., but no action was taken, further on 06.12.2023, the informant along with her father went to the house of the petitioner but they were abused and threatened.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant for reasons best known. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegation is cryptic and vague. It is also submitted that it absolutely does not stand to reason that why the informant would have accompanied the petitioner to the railway station at Jammu & Kashmir when she was already married to Wasir Ahmad. It is further submitted that it is easy to allege rape, but difficult to prove, but then once an accused is implicated in a case of rape, his entire career gets jeopardized. It is further submitted that petitioner is a person with clean antecedent and he will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sikarpur P.S. Case No. 138 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to forthwith cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

(Satyavrat Verma, J)

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