

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69586 of 2024**

Arising Out of PS. Case No.-104 Year-2024 Thana- PAROO District- Muzaffarpur

Abdul Samad @ Md. Abdul Samad Son of Neshar Ahamad @ Md. Neshar
Ahamad R/o Village- Fatehabad, P.S.- Paroo @ Paru, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Gulnar Begum

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Paroo (Paru) P.S. Case No. 104 of 2024 dated 18.04.2024 registered for the offences punishable under Sections 341, 342, 323, 376, 511, 504, 509,506, 34 and 354B of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused persons alongwith three unknown miscreants entered the house of the informant and the co-accused Md. Jafar and Abdul Samad caught hold of the informant and when her daughter switched on the light of the mobile, the petitioner, Abdul Samad snatched the phone of the informant's daughter



and assaulted her. When the informant's son and electrician, Md. Sabbir came there, they were also assaulted by them. In the meantime, the co-accused persons, Md. Jafar Ansari, Md. Jahir Hussain and Abdul Samad tried to commit rape on the informant and when she tried to cry, the co-accused Md. Jafar Ali pointed weapons on her neck and made obscene video of the informant and threatened her to make the video viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged occurrence took place on 06.03.2024 and the F.I.R. has been lodged on 19.04.2024 after a delay of 44 days for which no explanation has been given by the prosecution. There is general and omnibus allegation against the petitioner. There is no injury report of the injured on the record and they denied to be medically examined by the doctor. The other co-accused persons have already been granted bail by this court *vide* order dated 20.11.2024 passed in Cr. Misc. No. 64085/2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, West, Muzaffarpur in connection with Paroo (Paru) P.S. Case No. 104 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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