

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82539 of 2023

Arising Out of PS. Case No.-38 Year-2021 Thana- SASARAM NAGAR District- Rohtas

Md. Akbar Ali @ Akbar Ali @ Akbar @ Kalut Sonof Late Md. Jahur Ansari
@ Late Md. Jahur @ Late Jahur R/O Mohalla- Khilanganj, Ward No. 31, P.S.-
Sasaram (NAGAR), Dist.- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar, Adv.

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sasarm Nagar P.S. Case No.38 of 2021 lodged under Sections
366, 504, 506 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against the petitioner along with two others against
whom there is allegation of abduction of the informant's
daughter who has narrated her statement under section 164 of
Cr.P.C.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the petitioner and informant are major and whatever be the
happening took place between them, has been taken place with
their consent.



5. Counsel for the petitioner submits that petitioner is in custody since 03.05.2023 having clean antecedent.

6. Counsel further submits that on the previous occasion, case diary and statement under section 164 of Cr.P.C. has been called for by this Court.

7. Learned counsel for the State opposes the prayer for bail and submits that statement under section 164 of Cr.P.C. has come.

8. Upon perusal of the statement, it transpires to this Court that the victim has made specific allegation of rape against the petitioner. As such, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected, but liberty is hereby granted to the petitioner that he may renew his prayer for bail 9 months after framing of charge.

9. In the meantime, the trial court is directed to conclude the trial.

(Dr. Anshuman, J.)

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