

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81083 of 2023

Arising Out of PS. Case No.-346 Year-2023 Thana- RANIGANJ District- Araria

MD. MUZAFFAR S/O MOJAHID @ MD. MOJAHIR R/O VILLAGE-
BISANPUR, P.S- RANIGANJ, DISTT.- ARARIA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Naushad Uzzoha

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Raniganj P.S. Case No. 346 of 2023 registered on 06.09.2023
lodged under Sections 376 of I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against the petitioner to whom there is an allegation of
committing rape upon the informant.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 09.06.2023 having no criminal case pending
against him, in which he is on bail. He further submits that
charge-sheet has already been filed in this case. He submits that
it is not a case of rape rather it is a case of consensual physical



relationship.

5. Learned counsel for the State opposes the prayer for bail and submits that statement under Section 164 of Cr.P.C. has come in the case diary in which petitioner has supported the allegations made in the F.I.R. From the statement made in paragraph 6 and 7 which are the statement of father-in-law and the sister-in-law of the victim, they have disclosed that when they have reached at the place of occurrence, they have knocked the door, and thereafter door was open in which the informant and accused were present.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail and on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 346 of 2023 subject to the conditions laid down under Section 437 (3) of the Cr.P.C.

(Dr. Anshuman, J)

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