

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82696 of 2023

Arising Out of PS. Case No.-260 Year-2023 Thana- BARSOI District- Katihar

MD. SAHEB @ SHAHEB SON OF SOHRAB @ SOHRAB ALI RESIDENT
OF VILLAGE - MAHESHPUR, P.S. - BARSOI, DISTRICT - KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Mr. Md. Musowir, Adv.
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, Adv.
	:	Mr. Sanjeev Kr. Singh, Adv.
	:	Mr. Neha Rani, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State and counsel for the informant.

2. The petitioner seeks regular bail in connection with
Barsoi P.S. Case No.260 of 2023 lodged under Sections 376 and
506 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against six named accused persons including the
petitioner against whom there is allegation that the petitioner
has committed rape with the informant in the evening at 7 PM in
the month of July, subsequently, Panchayati took place. In the
Panchayati, it was decided that marriage shall be solemnized
between them, but when the petitioner and his family members



were not ready, then the present case has been lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that on the face of the allegation made in the fardbeyan, it appears to be a false case and falsely supported by the medical evidence.

5. Counsel further submits that the present case is the result of growing pressure tactics for marriage and upon refusal, the case has been filed. The date of occurrence is said to be 30.07.2023 whereas the case has been filed after 9-10 days i.e., on 09.08.2023.

6. Counsel further submits that petitioner is in custody since 30.09.2023 having clean antecedent.

7. Learned counsel for the State opposes the prayer for bail.

8. Learned counsel for the informant vehemently opposes the prayer for bail and submits that in the F.I.R., the specific allegation of rape is against the present petitioner made by the informant.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/-



(Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st, Katihar, District-Katihar in connection with Barsoi P.S. Case No.260 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

Prakashmani/-

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