

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83241 of 2023

Arising Out of PS. Case No.-22 Year-2022 Thana- SAKATPUR District- Darbhanga

MD. SARTAZ @ SARTAZ ALAM SON OF MOHAMMAD HAMIDUL R/O
VILLAGE- BAIKA, P.S.- SAKATPUR, DIST.- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Smiti Bharti

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 376 of the Indian Penal
Code.

3. As per FIR, it is a case of commission of rape to the
informant by the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has lost
his mother, sister and niece on 08.10.2023. He further submitted
that from the perusal of the trial Court report dated 24.06.2023,
in respect of the progress of the trial, it appears that the trial is
likely to be concluded within three months but there is no



progress in the trial till now and five months have been elapsed from the order of this Court. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 13.04.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Session Judge, Darbhanga in connection with Sakatpur P.S. Case No. 22 of 2022 with a condition:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(Sunil Kumar Panwar, J)

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