

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84376 of 2023

Arising Out of PS. Case No.-451 Year-2023 Thana- SITAMARHI District- Sitamarhi

SAIF ANWAR KARIM S/O KHURSHID ANWAR KARIM @ KHURSHID
ANWAR RESIDENT OF A.K. HOUSE, MOHALLA- CHANDWARA,
MAHARAJA ROAD, P.S.- TOWN, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh

For the Opposite Party/s : Mrs. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2024 Heard the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 376 of the Indian Penal Code.

3. The allegation against the petitioner is that he committed rape upon the informant on the pretext of marriage.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that both the petitioner and the informant are major. He further submits that the occurrence is of 03.04.2022 and the FIR is lodged on 06.06.2023 i.e. after a delay of one year and two months. Learned counsel for the petitioner relied upon the



judgment of Apex Court in the case of *Mandar Deepak Pawar v/s. The State of Maharashtra & Anr. (Cr. Appeal No.442 of 2022)*. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the delay in FIR, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sitamarhi P.S. Case No.451 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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