

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4412 of 2024

Arising Out of PS. Case No.-62 Year-2022 Thana- MAHILA P.S. District- Araria

Md. Saddam @ Panchu S/o Domar R/o vill-Baturbari, P.S-Tarabari, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Rana

For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Araria Mahila P.S. Case No. 62 of 2022, dated 22.12.2022 for the offences punishable under Sections 341, 323, 376D, 372, 504, 506/34 of the Indian Penal Code and under section 4, 6 of the POCSO Act.

3. As per prosecution case, the petitioner and the other co-accused person are alleged to have committed rape on the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in



para 3 of the bail petition. As per the medical report, the age of the victim is found to be 17-19 years and she is a major girl. There is no sign of fresh sexual assault as per Annexure-2 filed on behalf of the petitioner. Learned counsel further submitted that there is land dispute between the petitioner and the co-accused Bibi Sabnam, who is relative of the informant.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the materials available on the record, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Araria in connection with Araria Mahila P.S. Case No. 62 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:

- (i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds



are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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