

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.934 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- AAJAM NAGAR District- Katihar

Md Afsar Alam Son of Md. Manjur @ Md. Manjar Resident of Village
Jitwarpur, P.S.-Azamnagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

Md Musowir, Advocate

For the Opposite Party/s : Ms.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

- 3 09-04-2024 1. Heard learned Senior counsel for the petitioner,

learned APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for
grant of regular bail in connection with Azamnagar P.S. Case
no. 318 of 2023 registered under sections 376, 506 and 34 of the
Indian Penal Code.
3. As per the prosecution case, the petitioner is said to
have entered the house of the informant, forcibly shut the mouth
of the informant's daughter and started to sexually assault her. It
is stated that on *halla* being raised by her daughter, the
informant woke up, the petitioner was caught at the place of
occurrence and handed over to the police.
4. Learned Senior counsel appearing for the petitioner
submits that the petitioner has been falsely implicated in the



case. No such occurrence as alleged has taken place. It was a case of love affair between the parties and the victim girl wanted to marry the petitioner. The petitioner is in custody since 4.9.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct allegation against the petitioner in the F.I.R together with the victim having supported the allegations in her statement under section 164 Cr.P.C.

6. Having heard learned counsel for the parties and taking into consideration the allegations of sexual assault against the petitioner in the F.I.R together with the contents of the statement under section 164 Cr.PC, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

Harsh/-

U		T	
---	--	---	--

