

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2006 of 2024

Arising Out of PS. Case No.-110 Year-2023 Thana- SIKTI District- Araria

MUSTAKIM SON OF NIYAZ RESIDENT OF VILLAGE - SONAPUR
(WARD NO.9), P.S. - SIKTI, DISTRICT - ARARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Munish Om Prakash Singh, Adv.

Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Sikti P.S. Case No. 110 of 2023 dated 16.04.2023 registered for the offence/s punishable u/ss 341, 323, 376, 504 and 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have committed rape on the informant forcefully on the point of knife while she was returning after attending call of nature. When the informant informed her parents about the alleged occurrence, then her parents went to the house of the accused person for complaint. In the meantime,



all the accused persons started abusing and assaulting them. The accused persons also assaulted the informant with lathi and legs on her stomach.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the petitioner and the victim has already compromised the matter. The petitioner is also accused in one more criminal case as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that as per impugned order the informant in her statement recorded under section 164 of the Cr.P.C. has supported the prosecution.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and the heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six



weeks from the date of this order and the prayer for regular bail, the learned Court below will consider his prayer for regular bail on the same day in accordance with law without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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