

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11224 of 2025

Arising Out of PS. Case No.-209 Year-2024 Thana- PUNAURA District- Sitamarhi

Md. Imran Ali Son of Md. Noor Ali village- Muraliya Chakward No. 19,P.S.-
Sitamarhi, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 18-06-2025 Heard Mr. Uday Kumar, the learned counsel
appearing on behalf of the petitioner and Mrs. Meena Singh, the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 70 of B.N.S., 2023. Petitioner
has clean antecedent.

3. The prosecution case is to the effect that the
informant, who happens to be the A.S.I., has stated that he
received information that few persons were committing rape
upon one mentally unsound woman. It is further alleged that one
person, namely, Fekan Kumar @ Rajan informed him that both
the persons have been apprehended who were committing the
rape and when the police arrived, the two accused persons,
namely, Md. Jakir and Md. Imran Ali (petitioner) were taken
into custody and it was alleged that Md. Jakir was committing



rape while Md. Imran Ali (petitioner) was holding the victim.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no such incident as stated, has occurred. The learned counsel further submits that the innocence of the petitioner could be ascertained from the fact that the medical report does not support the factum of rape as no internal or external injury was found on the body of the victim nor there were signs of rape as opined by the doctor who conducted the medical examination. It has next been submitted that even if the allegations are taken on face value, the allegation upon the petitioner was of holding the hands of the victim. Lastly, it has been submitted that the petitioner has clean antecedent and he is in custody since 04.10.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that the petitioner and one other accused were committing rape upon a demented woman.

6. Considering the aforesaid fact and circumstances, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released on bail



on furnishing bail bond of Rs. 10,000/- (Ten 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 Punaura P.S. Case No. 209 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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