

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34259 of 2025

Arising Out of PS. Case No.-94 Year-2024 Thana- JHANJHARPUR District- Madhubani

Md. Salauddin Son of Kari Nut @ Md. Anwar R/O Village- Islampur, Ward
No. 11, P.S.- Jhanjharpur, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-06-2025 Upon repeated call, no one appears on behalf of
the petitioner. However, Learned A.P.P. for the State is present.

2. The petitioner seeks regular bail in connection with
Jhanjharpur P.S. Case No.94 of 2024 lodged on 27.05.2024
under Sections 376(D), 469 and 506 of Indian Penal Code with
read sections 67 and 67(A) of the I.T. Act, 2000.

3. As per the prosecution, the F.I.R. has been lodged
against 5 named accused persons including the petitioner with
allegation that they in connivance with each other abducted the
informant and committed rape with her and also make obscene
video of her. Upon cry, they threaten to make video viral and
then fled away from the place of occurrence.

4. It transpires to this Court that the date of occurrence
is 21.05.2024 and FIR has been lodged after delay of 6 days i.e.,
on 27.05.2024 and no explanation has been made in the FIR.
The further pleading has been made in the FIR that the



informant was abducted on bike, but she has not screamed or even shouted during abduction. The plea has also been taken that there is no independent witness except her family members.

5. The further plea has been taken that the medical examination has not supported the factum of sexual assault and no medical evidence of sexual assault is there.

6. It further transpires that the petitioner is in custody since 31.05.2024 having no criminal antecedent.

7. Learned counsel for the State opposes the prayer for bail and submits that trial court after going through the entire record, has categorically observed that the victim in her statement of section 164 of Cr.P.C., has named the accused persons and identified them. The Court has perused the medical report also, which categorically retreats the sexual assault.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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