

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56756 of 2025

Arising Out of PS. Case No.-190 Year-2006 Thana- PURNEA SADAR District- Purnia

Sitab Ali @ Sitab @ Madho S/o Late Abdul Resident of Mirjapur, P.S.- Sadar,
District- Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Md Fazle Karim, Advocate
For the State	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 07-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Sadar P.S. Case No.190 of 2006, registered under Sections 323, 376, 379 and 34 of the Indian Penal Code (in short 'I.P.C.').

3. The present FIR is founded upon Complaint Case No. 665 of 2006 filed before the learned Chief Judicial Magistrate, Purnea, wherein the petitioner was alleged to commit rape upon the complainant along with other co-accused persons.

4. It is submitted by learned counsel appearing for the petitioner that police after investigation submitted final form against the petitioner, but learned jurisdictional Magistrate took cognizance in the year 2013 against the petitioner and other co-



accused persons. It is pointed out that till date, charge could not framed in this matter. Arguing further, it is submitted by learned counsel for the petitioner that the complainant is cousin sister of his son-in-law and there is matrimonial discord between the daughter of the petitioner and his son-in-law, due to which the present false implication of rape was raised by the cousin sister of his son-in-law without having any cogent materials, which was also found false upon investigation by the police. Petitioner claimed clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. In view of aforesaid factual submissions and by taking note of the fact as police after investigation submitted final form against the petitioner, where allegations, *prima facie*, appears to be raised in the background of previous enmity as submitted, accordingly, the petitioner, above-named, who is man of clean antecedents, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnea, in connection with Sadar P.S. Case No.190 of 2006, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure (in short ‘Cr.P.C.’)/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘B.N.S.S.’).

7. The L.C.R. be returned back to the learned trial court immediately.

8. Considering the fact as the matter is about 20 years old, therefore, learned trial court is directed to expedite the trial and to conclude the same at its earliest.

(Chandra Shekhar Jha, J)

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