

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57509 of 2025

Arising Out of PS. Case No.-163 Year-2024 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Anwarul Haque @ Md. Anwarul Haque @ Raju @ Md. Anwarul S/O Late Mahmud Ali Resident of village- Kasava, Kapur Pakari, P.S.- Sikarganj, District- East Champaran
 2. Sadre Alam S/O Anwarul Haque @ Md. Anwarul Haque @ Raju @ Md. Anwarul Resident of village- Kasava, Kapur Pakari, P.S.- Sikarganj, District- East Champaran
 3. Najre Alam S/O Md. Tabir Alam @ Tabir Alam Resident of village- Kasava, Kapur Pakari, P.S.- Sikarganj, District- East Champaran
 4. Samir Alam @ Md. Samir S/O Md. Tabir Alam @ Tabir Alam Resident of village- Kasava, Kapur Pakari, P.S.- Sikarganj, District- East Champaran
 5. Md. Tabir Alam @ Tabir Alam S/O Late Md. Hadish Miyan Resident of village- Kasava, Kapur Pakari, P.S.- Sikarganj, District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Manisha Khatoon W/O Anwarul Haque R/O Vill.- Kasava, Kapur Pakari, P.S.- Sikarganj, Dist.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2025 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 323, 324, 325, 452, 354-B, 307, 376/511, 147, 148, 149, 504 and 506 of the Indian Penal Code .

3 . As per the prosecution case , complainant, namely



Manisha Khatoon alleged that on 23.06.2024, co-accused Noor Alam and Kamre Alam entered the house of complainant and tried to commit rape with her but when sister-in law came there, accused persons fled away. It is further alleged that when husband of complainant and others went to make complain regarding the incident, then all the accused persons armed with various weapons, abused and assaulted brother-in-law of the complainant and others.

4. It is submitted on behalf of the petitioners that the petitioners are innocent and have committed no offence as alleged. Specific accusation of attempt to commit rape upon the victim is against co-accused *Kamre Alam* and *Noor Alam* who have already been granted anticipatory bail by co-ordinate Bench of this Hon'ble Court. Petitioners have falsely been implicated in this case because they happen to be family members of co-accused *Kamre Alam* and *Noor Alam*. Allegation is general and omnibus against these petitioners. There is delay of 18 days in filing the present complaint case for which there is no plausible explanation which itself creates doubt over the veracity of entire prosecution case. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail



petition .

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM Sikrana at Dhaka East Champaran in connection Complaint Case No. C- 163 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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