

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68425 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- PIPRAKOTHI District- East Champaran

Samsuddin Hawari Son of Israil Mian R/o Village- Mathurapur Math Gopal,
P.S.- Pipra Kothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Waliur Rahman, Advocate
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP
For the Informant	:	Mr. Dhurendra Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 22-01-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Pipra Kothi P.S. Case No. 132 of 2024 instituted for the offences under Sections 341, 323, 312, 376, 307, 504, 493 of the Indian Penal Code.

3. Accusation against the petitioner is of establishing forcible physical relations with the victim on the pretext of marriage.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence and he has falsely been implicated in the present case. Learned counsel



further submitted that as per the statements of the victim recorded under Sections 161 and 164 of the Cr.P.C., it is evident that petitioner established physical relations with the consent of the victim. Learned counsel further submitted that from perusal of the records it appears that informant is a married lady and has two children. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.06.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has supported the allegation as alleged in the FIR. Learned counsel for the informant further submitted that charge-sheet has been submitted under Sections 341, 323, 376, 493 of the Indian Penal Code.

6. Considering the aforesaid facts and circumstances of the case as also the statement of the victim recorded under Section 164 of the Cr.P.C., this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer of the petitioner for grant of bail is rejected.

7. Learned court below is directed to expedite the



trial.

8. However, if the trial is not concluded within a period of six months from today, liberty is granted to the petitioner to renew his prayer for grant of bail before the learned court below. If any such application is filed, the learned court below shall consider and dispose of the same on its own merit, without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

