

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75761 of 2024

Arising Out of PS. Case No.-134 Year-2021 Thana- POTHIIYA District- Kishanganj

Maksood @ Maksood Alam Son of Sirajuddin R/O-Village -Bartaul, P.S.-
Pothia, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Sessions Trial No. 157 of 2024 (arising out of Pothia P.S. Case No. 134 of 2021) registered for the offence punishable under Sections 341, 376D, 504, 506, 406 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the sister of the informant, namely, Shamima who is mentally ill was working in house of someone. Shakila told her to work at her house, then the sister of the informant started working at the house of Shakila. It is further alleged that Ajmuddin and Maksood committed rape with the sister of the informant and after that, she got pregnant.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has also been submitted that Ajmuddin has solemnised marriage with the sister of the informant and on that basis Ajmuddin was granted bail by a coordinate Bench vide order dated 02.12.2023 of the Criminal Miscellaneous No. 55039 of 2023. Petitioner is languishing in judicial custody since 12.03.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case and the period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-I-cum-Special Judge, Kishanganj in connection with Sessions Trial No. 157 of 2024 (arising out of Pothia P.S. Case No.134 of 2021).

(Ashok Kumar Pandey, J)

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