

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85208 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- MAHILA P.S. District- Araria

Md. Shahdab @ Shahdab @ Md. Shadab Alam @ Shadab S/o- Md. Ekbal @
Md. Iqbal Resident of village-Jhamta , Ward no 4 , P.S-Tarabari, Distt.-- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Aiyub Son of Late Serajuddin Resident of village-Jhamta Tola, Metan,
Ward no- 02, P.S-Tarabari, Distt.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satish Chandra Mishra, Adv Md. Nurul Hoda, Adv
For the Informant	:	Mr. Umesh Kumar Gupta, Adv
For the State	:	Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 07-05-2025 Heard learned Counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Mahila P.S. Case No. 22
of 2024 registered for the offences punishable u/s 376 and 506
read with Section 34 of the I.P.C. and Section 4 of the POCSO
Act.

3. As per the prosecution case, the petitioner
forcefully dragged the victim girl into the filed and had raped
her.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. Learned counsel has referred to the medical report, which also suggested that there is no evidence of any sexual assault on the victim girl and also the fact that the age of the victim girl is between 18-22 years. It is further submitted that during the course of trial, the victim girl herself and also the informant have not supported the prosecution case. It is lastly submitted that the petitioner has clean criminal antecedent and is in custody since 10.09.2024.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions of the parties and also taking into consideration the medical report as well as the depositions in the trial given by the informant and the victim girl, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria, in connection with Mahila P.S. Case No. 22 of 2024.

7. The application stands allowed.

(Sourendra Pandey, J)

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