

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83722 of 2024

Arising Out of PS. Case No.-44 Year-2016 Thana- PALASI District- Araria

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Mahfooz @ Mahfooz Alam Son of Taiful @ Taiful Hussain Resident of
village- Dahgama, Police Station- Sikty, District – Araria Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and the

State .

2. The petitioner prays for grant of regular bail in a case
registered for the offence punishable under sections 366, 376,
541 and 34 of the Indian Penal Code .

3 . As per the prosecution case , co-accused Md.
Junaid Alam along with three other FIR named accused persons
forcibly took the victim (Informant) in a field and attempted to
commit rape on her, however on cry of the victim, some
villagers assembled there and caught one of them namely Md.
Junaid Alam and others managed to escape from there .

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion . It is further submitted that
specific accusation is against co-accused Junaid Alam who has



already granted bail by co-ordinate Bench of this Court vide order dated 16.07.2021 in Cr. Misc. No. 22079 of 2021 .
Petitioners claims clean antecedent. Petitioner is in custody since 14.08.2024 . Chargesheet has already been submitted.

5 . Learned counsel for the State opposed the prayer for bail.

6. Considering the fact that co-accused Junaid Alam against who there is specific allegation has already been granted bail by co-ordinate Bench of this Court, period of custody of petitioner , clean antecedent of the petitioner and other circumstances of the case , prayer for bail of the petitioner is allowed.

7. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class Araria in connection with Palasi Police Station Case No. 44 of 2016.

(Prabhat Kumar Singh, J)

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