

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87755 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- ADAPUR District- East Champaran

Koran Hawari @ Koraun Hawari Son of Maksood Hawari @ Makasud Miya
Resident of Village-Tarwa, Tola - Kachurwari, P.S. - Harpur, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv
For the State : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 06-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Adapur (Harpur) P.S. Case No. 224 of 2023 registered for the offences punishable u/s 342 and 376/34 of the I.P.C. and Section 67 of the I.T. Act.

3. As per the prosecution case, on 07.07.2023 at about 11:30 P.M., three persons entered the house of the informant and forcefully covered her mouth and on the gunpoint the co-accused, namely, Saddam Dewan, committed rape upon her. It is further alleged that the petitioner was making a video of the said incident while the co-accused Hadik Khan was standing outside the house in inspection.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is further stated that from perusal of the F.I.R., it is evident that the specific allegation is against the co-accused Saddam Dewaan. It is further alleged that the informant had stated in her deposition during the trial that she could not identify the three persons who had entered and they fled away once *halla* was raised. It is lastly submitted that the petitioner has clean criminal antecedents and is in custody since 18.09.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner is an accused of being a party to the rape committed by the co-accused Saddam Dewaan, upon the informant, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the deposition which has been brought by way of Annexure-3 wherein none of the prosecution witnesses have supported the factum of the incident as alleged in the FIR, 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, East Champaran, in connection with



Adapur (Harpur) P.S. Case No. 224 of 2023.

7. The application stands allowed.

(Sourendra Pandey, J)

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