

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87454 of 2024

Arising Out of PS. Case No.-327 Year-2024 Thana- PALASI District- Araria

Md. Azad S/O Md. Taha @ Md. Taha Alam R/O Village- Farsadangi, Ward
No. 11, P.S- Palasi, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Palasi P.S. Case No. 327 of 2024 dated 17.09.2024 registered for the offences punishable under Sections 333, 64(1), 115(2), 352, 351(2), 351(3) and 3(5) of B.N.S.

3. As per the prosecution case, the petitioner is alleged to have committed rape on the informant at the point of a knife. It is further alleged that when the informant with her mother-in-law reached the house of the petitioner then the petitioner's father, Md. Taha abused and threatened them to kill.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is nothing on record



which shows that the victim was forced/seduced to have illicit intercourse with another person. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.09.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Araria in connection with Palasi P.S. Case No. 327 of 2024, with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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