

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88111 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- MAHILA PS District- East Champaran

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Sami Akhtar @ Shami Akhtar S/o- Sheikh Jamil Akhtar @ Jamil Akhtar
Resident of Village - Lakhaura, Bichla Tola, P.S. - Lakhaura, District - East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Faiyazul Haque S/o- Late SK. Sakir Hussain Resident of Village - Lakhaura,
Bichla Tola, P.S. - Lakhaura, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, APP
For the Informant	:	None

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner and learned

APP for the State. None appears on behalf of the informant

despite notice being validly served.

2. The petitioner seeks bail in connection with Mahila
P.S. Case No. 33 of 2024 instituted for the offences under
Sections 64, 352, 351(2), 351(3), 3(5) of the BNS and 4, 6, 8 of
the POCSO Act.

3. Accusation against the petitioner is of commission
of rape upon the victim girl.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel further submitted that petitioner is co-villager and next door neighbour and there is inimical term between the parties on account of land dispute and thus, the petitioner has falsely been implicated in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.10.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case, statement of the victim recorded under Section 183 of the BNSS, nature and gravity of offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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