

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75589 of 2025**

Arising Out of PS. Case No.-209 Year-2024 Thana- PUNAURA District- Sitamarhi

Md. Jakir @ Md. Jafir Raain S/o- Md. Habib Ansari @ Habib Rayen @ Md.  
Habib Rain R/v- Muraliya Chak Ps- Sitamarhi Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Kumar, Advocate  
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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

ORAL ORDER

3      28-01-2026              Heard learned counsel for the petitioner and learned APP  
for the State. Perused the case diary.

2.      The petitioner seeks bail in connection with S.T.  
No. 214 of 2025, arising out of Punaura P.S. Case No. 209 of  
2024 instituted for the offence under Section 70 of the Bharatiya  
Nyaya Sanhita, 2023.

3.      Prosecution case, in brief, is that acting on a tip-off  
on October 2, 2024, the police apprehended Md. Jakir  
(petitioner) and Md. Noor Ali after they were caught by  
villagers while allegedly sexually assaulting a 20-year-old  
mentally disabled woman near the Punaura Dham Temple  
boundary.

4.      It has been submitted on behalf of the petitioner



that the petitioner is in custody since 04.10.2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is no eye witness to the occurrence. Learned counsel for the petitioner specifically referred to the medical report of the victim, wherein it is opined by the doctor that it is not possible to say that rape has been occurred or not. Charge sheet has already been submitted in this case. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 18.06.2025, passed in Cr. Misc. No. 11224 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted by referring to the statement of the victim that victim is deaf, dumb and mentally disturbed and she is not able to answer any of the questions.

7. Considering the aforesaid facts and circumstances of the case, specifically taking into account the fact that there is direct allegation against the petitioner as per the FIR as also the nature and the gravity of the offence, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the



petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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