

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76777 of 2025

Arising Out of PS. Case No.-416 Year-2020 Thana- BHAGWAN BAZAR District- Saran

Md. Niyajudin S/O Late Md. Islam R/O Ward No. 09, Daulatganj, Mirchaiya
Tola, P.S.- Bhagwan Bazar, Chapra, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-01-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 448, 341, 323, 354, 307, 504, 506/34 of the Indian Penal Code to which Section 302 IPC was added later on.

3. Prosecution case, in brief, is that on 11.9.2020 at about 9 AM, when informant was alone at her house, co-accused Mainuddin and her neighbour entered the house of informant and tried to commit rape with her. Upon objection, co-accused Mainuddin brutally assaulted her as a result of which, she succumbed to the injuries during course of treatment.

4. Learned counsel for the petitioner submits that informant claims to be eye witness of the occurrence in the F.I.R. Petitioner is not named in the F.I.R. nor any suspicion or



whisper was raised against him. Informant has not alleged any role or presence of this petitioner in the F.I.R.. Even during investigation, none of the witnesses named this petitioner and police after investigation has not submitted charge-sheet against him. During trial, an application under Section 319 Cr.P.C. was filed by the informant and thereafter, petitioner was summoned for the trial.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 District & Additional Sessions Judge-V, Saran at Chapra in connection with Bhagwan Bazar P. S. Case No. 416 of 2020, subject to condition as laid down under Section 482(2) of the BNSS.

(Prabhat Kumar Singh, J)

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