

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41266 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -DURAULI District- SIWAN

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Babujan Sah S/o Late Hassan Shah, resident of village Karnpura, P.S.
Darauli, District Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bipin Bihari Singh

For the Opposite Party : Mr. Amitesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-11-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 15.07.2015 in
a case instituted under Sections 366 (A)/34 and 376 of the Indian
Penal Code.

As per prosecution case, it is a case of abduction of
informant's girl, namely, Rukshar Khatoon who is aged about 14
years for the purpose of marriage and thereafter committed rape
upon her by the co-accused Afroz Alam.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 15.07.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. Petitioner has got no criminal
antecedent. From perusal of the statement recorded under Section

164 Cr.P.C, it is evident that the main allegation is against Afroz Alam. No specific allegation has been attributed against the petitioner.

On behalf of the State, it has been submitted that the petitioner is not named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-I, Siwan, in connection with Darauli P.S.Case No.41 of 2015.

(Sudhir Singh, J)

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