

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48088 of 2015

Arising Out of PS.Case No. -142 Year- 2002 Thana -NARPATGANJ District- ARRARIA

Md. Jasim, Son of Late Kamil, resident of Village- Gokhlapur, P.S.-
Narpatganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 30-10-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Narpatganj
P.S. Case No.142 of 2002/G.R. No.1449 of 2002 registered under
Sections 366, 372 and 376 of the Indian Penal Code.

The allegation of the informant is that his brother-in-law
(Sharhu), Tulsi Paswan, came to his house alongwith the petitioner
and two others and accompanied his daughter, Rina Devi, on the
pretext of illness of his wife. When the informant went to the
house of Tulsi Paswan, he found his daughter absent.

Learned counsel appearing on behalf of the petitioner
submits that, in fact, the petitioner is not relative of the co-

accused, Tulsi Paswan, in any manner and he has falsely been implicated in this case. It is also submitted that the petitioner was outside the State to earn his livelihood. In Sessions Trial No.183 of 2003 with respect to the trial of the co-accused, Md. Manzoor and Md. Israil, the victim appeared and stated that she was not raped by any one and considering the aforesaid fact, the co-accused, Md. Manzoor, has been granted bail by a Bench of this Court vide order dated 17.01.2007 passed in Criminal Misc. No.18284 of 2006. The petitioner is in custody since 02.04.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, First Class, Araria, in connection with Narpatganj P.S. Case No.142 of 2002/G.R. No.1449 of 2002. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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