

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44401 of 2014

Arising Out of PS.Case No. -122 Year- 2013 Thana -SIMRI BAKHTIARPUR District- SAHARSA

Md. Faruk Son of Late Qayum, resident of village- Ranibagh, Bhatta Tola,
P.S. - Bakhtiarpur, Distt. - Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf, Advocate

For the Opposite Party/s : Mr. M. Rub (APP)

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 04-02-2015 Heard Mr. S.M. Ashraf, learned counsel for the
petitioner and learned counsel for the State.

The petitioner is in custody in connection with
Bakhtiarpur P.S. Case No. 122 of 2013 for offence punishable
under Sections 366A and 376/34 of the Indian Penal Code.

The petitioner alongwith others named in the FIR have
been charged with abducting the informant to Delhi and
whereafter subjecting her to sexual assault. It is alleged that some
how she escaped from the clutches and whereafter she has
returned to Bakhtiarpur to institute the case.

Mr. Ashraf, learned counsel for the petitioner with
reference to the FIR has submitted that for the alleged occurrence
of 4.5.2013, no FIR was instituted by any family members rather it

is the victim herself who has instituted the case after a delay of almost two weeks on 17.5.2013. He further submits that the present FIR in fact is a return to the FIR instituted by the brother of the petitioner against the father of the informant giving rise to Bakhtiarpur P.S. Case No. 120 of 2013 registered on 4.5.2013.

Having heard learned counsel for the parties and taking note of the submission of learned counsel, let the petitioner Md. Faruk be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Bakhtiarpur P.S. Case No. 122 of 2013.

(Jyoti Saran, J)

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