

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38747 of 2015

Arising Out of PS.Case No. -225 Year- 2013 Thana -FORBESGANJ District- ARRARIA

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Md. Nasar @ Nasar, son of Md. Daud, Resident of village- Doriya
Sonapur, P.S.- Simraha, Dist- Araria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh

For the Opposite Party : Mr. Dr.Rabindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-10-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 18.06.2015 in
a case instituted under Sections 376/34 of the Indian Penal Code.

As per allegation, it is a case of rape upon the
informant, namely, Bibi Ladli who is aged about 15 years by the
accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 18.06.2015. Chargesheet has
been submitted in the case. Petitioner has got no criminal
antecedent. There is no allegation of tampering with the evidence
against the petitioner. The allegation of establishing physical
relationship with the informant on the ground of marriage is

against Danish. The said Danish is said to have already performed the marriage with the informant which is evident from Annexure-2 to the present application and a child has also been born from the said relationship of the informant and co-accused Danish which is evident from Annexure-3. As far as the allegation against the petitioner is concerned, same is superficial in nature and the petitioner happened to be one of the friends of the co-accused Danish.

On behalf of the State, it has been submitted that the petitioner is 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 learned CJM, Araria in connection with Forbesganj P.S.Case No.225 of 2013.

(Sudhir Singh, J)

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