

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13914 of 2015

Arising Out of PS.Case No. -245 Year- 2014 Thana -BAHADURGANJ District- KISANGANJ

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Ayub Alam S/o Late Jamaluddin Resident of Village Sameshar Gowabari,
Police Station Bahadurganj in the District of Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 01-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the elder brother of the
husband of the informant is languishing in custody since
27.01.2015 in a case registered for the offences punishable under
Sections 323, 376 and 384 of the Indian Penal Code.

It is alleged that the petitioner ravished the
informant on 16.08.2014.

It is submitted by learned counsel for the
petitioner that the petitioner lodged Kishanganj P.S. Case No. 231
of 2014 levelling accusation under Sections 323, 365, 120B and
406 of the IPC on 08.09.2014 against the informant and her family
members as the brother of the informant and husband of the

informant was kidnapped and thereafter the present FIR was registered. Though, the petitioner initially filed complaint case on 22.08.2014 which came to be registered as police on 08.09.2014. For the occurrence of 16.08.2014 the FIR was registered on 14.10.2014 and the informant was medically examined on 29.01.2015 and the medical report also does not suggest the commission of rape.

Learned counsel for the State does not controvert this fact that some of the witnesses have supported the defence version.

Considering the delayed lodging of the case and the accusation does not corroborate with the medical opinion, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Kishanganj in connection with Bahadurganj P.S. Case No. 245 of 2014.

(Dinesh Kumar Singh, J)

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