

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20575 of 2015

Arising Out of PS.Case No. -56 Year- 2014 Thana -DIGHALBANK District- KISANGANJ

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Abu Shama son of Fur Mohammad Resident of village - Matia, Police
Station - Pothia, District - Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Binay Kumar, Advocate.

For the Opposite Party : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-06-2015 Heard both sides.

The petitioner seeks bail in Dighalbank (Korhobari)
P.S. Case No. 56 of 2014, registered for the offences punishable
under Sections 376, 120B and 34 of the Indian Penal Code.

The prosecutrix alleged that the petitioner put clothes in
her mouth and Anikul raped with her.

It is submitted that there is no allegation of rape against
the petitioner. The prosecutrix was married to Anikul. The brother
of the prosecutrix has been examined in Sessions Trial No. 1944
of 2014 and disclosed that his sister was married with the accused
Anikul.

Considering the facts that there is no allegation of rape
against the petitioner and the petitioner is in jail since 31.08.2014

and the brother of the prosecutrix has stated that his sister was married with Anikul, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Kishanganj in Dighalbank (Korhobari) P.S. Case No. 56 of 2014.

(Prabhat Kumar Jha, J.)

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