



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2653 of 2015

Arising Out of PS.Case No. -2180 Year- 2011 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Javed @ Barku S/O Late Siddihique@Md.Slauddin Resident of vill-
Azad Nagar Madhepura,P.S-K.Hat,Distt.-Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2015 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner is languishing in custody since 28.8.2014 in a complaint case in which process has been directed to be issued after cognizance being taken for the offence under Section 376 of the Indian Penal Code.

It is alleged that in June, 2009, the petitioner called the complainant and ravished her and thereafter continued establishing physical relationship on promise of marriage. Subsequently, the complainant got pregnant but pregnancy was terminated and thereafter the petitioner

started demanding dowry for performing marriage. On 12.8.2011 the petitioner performed marriage with one Guljar Khatoon, thereafter the complaint was filed on 16.8.2011.

It is submitted by the learned counsel for the petitioner that as per the accusation itself no offence under section 376 IPC is made out. The complainant herself got married with one Md. Manjoor Alam and has a son also. The complainant has retracted from the initial version.

Mr. Vidhu Ranjan, learned counsel for the complainant submits that the complainant is not opposing the bail application of the petitioner since the complainant has already got married.

Considering the delayed lodging of the complaint, nature of accusation, present stand of the complainant and statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, 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 of learned 2nd Additional Sessions Judge, Purnea in connection with Complaint Case No. 2180

of 2011 (S.T. No. 1096 of 2014).

(Dinesh Kumar Singh, J)

Anil/-

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