

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35928 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Kausher Sai, S/o Late Qasim Sai, R/o Mohalla- Salim Shah Takia Banda,
P.O. + P.S. - Sasaram, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Sinha

For the Opposite Party : Mr. Md . Ansural Haque (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2015 Heard the counsel for the petitioner and counsel for the
State.

The petitioner is languishing in jail since 29.04.2015 in
a case instituted under Sections 120 (B), 366(A), 376 and 34 of
the Indian Penal Code.

As per allegation, it is a case of abduction of the
informant's daughter by the accused persons for the purpose of
marriage.

It has been submitted on behalf of the petitioner that
petitioner has got no criminal antecedent. He is in custody since
29.04.2015. Chargesheet has been submitted in the case. There is
no allegation of tampering of evidence against the petitioner. From
perusal of the medical report which is the part of the case diary, it

appears that the doctor has not ascertained that whether the rape was committed upon the victim or not which creates doubt to the prosecution case. Petitioner is said to have falsely been implicated in the case due to oblique reason.

On behalf of the State and counsel for the informant it has been submitted that the petitioner is named in the FIR and the victim has also made a specific allegation in respect of her physical assault, though the doctor has not ascertained the same in course of medical examination.

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 of the learned CJM, Rohtas at Sasaram in connection with Sasaram(Model) P.S.Case No.57 of 2015.

(Sudhir Singh, J)

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