

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2149 of 2015

Arising out of P. S. Case No. - 404 Year - 2014 Thana - KATIHAR District - KATIHAR

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1. MD. SABBIR ALAM @ MD. SABBIR, Son of Md. Siraj, Resident of
Mohalla - Sharifganj, P.S. - Katihar Sahayak, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Singh, Advocate

For the Opposite Party/s : Mr. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-01-2015

Heard both sides.

The petitioner seeks regular bail in Katihar Town
(Sahayak) P.S. Case No. 404 of 2014, registered for the offences
punishable under Section 376 and 323/34 of the Indian Penal
Code.

Sabila Khatoon filed complaint petition and on the
basis of which the present First Information Report was lodged.
Sabila Khatoon alleged that the petitioner on the pretext of
marriage has been establishing physical relation with her from the
year 2010 but later on refused to marry with the informant.

Learned counsel for the petitioner submits that the
victim is a major. She is aged about 25 years. The case is lodged
in the year 2014. She herself stated in her complaint petition that
she was having physical relation with the petitioner on the pretext

of marriage. Now the marriage has been solemnized and the informant is living in the house of the petitioner.

The learned counsel for the informant is also present and has supported the fact that informant is living in the house of the petitioner as his wife.

Considering the facts aforesaid, 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 Chief Judicial Magistrate, Katihar in connection with Katihar Town (Sahayak) P.S. Case No. 404 of 2014.

(Prabhat Kumar Jha, J.)

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