

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2894 of 2016

Arising Out of PS.Case No. -270 Year- 2015 Thana -BRAHMPURA District- MUZAFFARPUR

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Md. Saddam Son of Md. Shamim Quraishi @ Md. Shamim, resident of
Mohalla - Mehdi Hasan Chowk, Arabic College, Brahampura, P.S.
Brahampura, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. S.Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Brahampura P. S. Case No. 270 of 2015 registered under
Section 376 of the Indian Penal Code.

It has been contended by learned counsel for the
petitioner that there is no truth behind the allegation made in the
FIR. The independent witnesses whose statements were
recorded in paragraphs 85,86 and 87 of the case-diary, have
categorically stated that even prior to the present FIR, the victim
had made similar allegation against several persons and later on,
a compromise was arrived at between the parties. Referring to

the statements of these witnesses, learned counsel for the petitioner has further contended that the entire allegation in the FIR has been made just in order to put pressure upon the petitioner to compel him to marry the daughter of the informant.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner. He has contended that the petitioner established physical relationship with a minor girl aged about 17 years on the pretext of marriage.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in Brahampura P. S. Case No. 270 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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