

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16873 of 2016

Arising Out of PS.Case No. -467 Year- 2013 Thana -BAHERA District- DARBHANGA

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1. Md. Eesa Son of Emamuddin, Resident of Village - Baghaila, Police Station - Alinagar (Bahera), District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Musrat Praveen, Daughter of Md. Manjoor Alam, Resident of Village - Baghaila, Police Station - Alinagar (Bahera), District - Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Pronati Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 28-04-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 346, 376, 420/34 of the Indian Penal Code and Section ¾ of D.P. Act.

Petitioner and other F.I.R. named accused kidnapped the informant and subsequently, the marriage of informant was forcibly got solemnized with co-accused, Md. Gulab, who established physical relation with the informant. Furthermore, while she was in confinement, petitioner threatened her to depose before the court of law and subsequently, she was released by the petitioner and his associates.

Learned counsel for the petitioner submits that prior to institution of the present case, the father of the informant lodged Bahera P.S. Case No. 270 of 2013 against co-accused, Md. Gulab and others in respect of so-called kidnapping of informant of the present case and the aforesaid case was investigated by the police and the case was found as mistake of fact and accordingly, final form was submitted. It is further submitted that after submission of final form, the informant again brought this false case with exaggerated story.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 467 of 2013.

(Hemant Kumar Srivastava, J)

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