

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23050 of 2016

Arising Out of PS.Case No. -118 Year- 2012 Thana -JALALGARH District- PURNIA

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1. Md. Yusuf Son of Md. Abdul Barik Resident of village - Dushmar Ganja
Ghat, P.S. Jalalgarh, Distt. - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Jagdhar Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under
Sections 323, 307, 376, 313 and 511 of the Indian Penal Code.

It is alleged by the informant (Nareja Khatoon) that the
petitioner after alluring her to solemnize the marriage with him
continuously illegal act was done. When she asked to marry her,
the petitioner refused. Thereafter all accused persons took her to
Purnea where they tried to destine to fetus but any how she saved
her life.

It is submitted on behalf of the petitioner that the
petitioner is in custody for more than three years. Charge sheet
has been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of the

witnesses alleged against the petitioner. Earlier, the petitioner, who was granted provisional bail vide Cr. Misc. No.15831 of 2013 dated 08.10.2013 with a condition that he shall deposit an amount of Rs. 5,000/- (five thousand) in favour of the informant every month. The petitioner failed to do so and within fourteen days of the said order and he surrendered in the court below. The petitioner thereafter filed a modification petition to the earlier order vide Cr. Misc. No.51016 of 2013. The same was not allowed. The allegation made in the FIR is denied by the petitioner. A petition was also filed by the petitioner in the court below for getting DNA test. No such test was done till date.

On behalf of the State and counsel for the informant it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let, 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 1st Additional Sessions Judge, Purnea in connection with S.T.No. 482 of 2013 arising out of Jalalgarh P.S.Case No. 118 of 2012.

(Sudhir Singh, J)

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