

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27950 of 2016

Arising Out of PS.Case No. -63 Year- 2015 Thana -MAHILA P.S. District- KISANGANJ

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Kalimuddin, son of Late Alimuddin, Resident of Village- Kathalbari, P.S.
Thakurganj, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-07-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with
Kishanganj Mahila P.S. Case No. 63 of 2015, registered under
Sections 341, 342, 376, 506 and 509 of the Indian Penal Code.

The allegation of informant, namely, Husaida
Begum is that her marriage was performed with this petitioner
before eight years and one male child was borne out of the
wedlock. Later on, due to the differences, she took divorce and
started to live in her *Mayka* along with her son. The petitioner
used to visit the informant in her *Mayka* and established physical
relation with her. When informant protested, then petitioner
assured her to re-marriage with her. Thereafter, informant
becomes pregnant and petitioner flatly refused to marry with her.

Learned counsel for the petitioner submits that admittedly the marriage of the petitioner was performed with the informant, but later in the year 2014, divorce took place in between the parties and thereafter informant used to reside in her Mayaka, but due to ulterior motive the present case has been lodged with false allegation of committing rape upon the informant. The petitioner having no criminal antecedent is in custody since 06.12.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, 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 the Sessions Judge, Kishanganj in connection with Kishanganj Mahila P.S. Case No. 63 of 2015.

(Rajendra Kumar Mishra, J.)

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