

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51174 of 2015

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Md. Saheban, S/o Md. Najir R/o Hafla, Makdumpur, P.S.- Katihar Mufassil,
Distt- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh

For the Opposite Party : Mr. Sanjay Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 08-02-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Katihar Mahila P.S. Case No. 18 of 2015, registered under Section 376 of the Indian Penal Code.

The accusation is of committing rape by this petitioner with the informant on the pretext of performing marriage.

Learned counsel appearing on behalf of the petitioner submits that the occurrence is said to be of 16.03.2015, but the informant has lodged this case on 03.04.2015, after more than 17 days. Further submission is that, in fact, the petitioner is in relation to the informant and he used to visit at the house of the informant. The parents of the informant wants to perform the

marriage of informant with this petitioner, but parents of the petitioner refused to perform marriage of the petitioner with the informant and due to that reason, this false case has been lodged, which would appear from the statement of the informant recorded under Section 164 of Cr.P.C. due to that reasons, the present case has been lodged to give undue pressure upon the petitioner. The petitioner is in custody since 17.04.2015.

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 S.D.J.M. Katihar, in connection with Katihar Mahila P.S. Case No. 18 of 2015.

(Rajendra Kumar Mishra, J)

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