

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9581 of 2016

Arising Out of PS.Case No. -130 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

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Md. Mobin @ Md. Mabin, Son of Late Samsul, Resident of Village -
Badluchak, P.S. - Jagdishpur Goradih, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat (Spl.App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-03-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is languishing in judicial custody since
27.7.2015 in connection with Jagdishpur (Goradih) P.S. Case
No.130 of 2015 for offences alleged under Sections 377, 509 and
354(A) of the Indian Penal Code and 3(1)(XI) S.C./S.T.
(Prevention of Atrocities) Act.

The prosecution case is that the informant Manni
Rabidas has given his written application on 26.07.2015 before the
S.H.O. of Goradih Police Station alleging therein that on
26.07.2015 at 4 P.M. petitioner Md. Mobin came at the house of
the informant and told the informant he will cure his wife, who is
suffering from paralysis. It is further alleged that Md. Mobin
covered Asha Devi by cloth and sat on her chest and started

putting his internal organ in her mouth. On alarm the informant arrived and the petitioner fled away.

It has been submitted by the learned counsel for the petitioner that the petitioner is about 64 years of age and the allegation upon him is false and baseless. In fact, petitioner has no criminal history as is evident from paragraph-3 of this petition. It has further been submitted that the petitioner after his retirement had entered into the business with the informant and there was a dispute regarding some payment for which this false case has been lodged against him.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R. and opposes the prayer for bail.

Be that as it may, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur (Goradih) P.S. Case No.130 of 2015.

(Nilu Agrawal, J)

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