

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30522 of 2016

Arising Out of PS.Case No. -201 Year- 2015 Thana -PANDAUl District- MADHUBANI

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Badre Alam Son of late Subedar, Resident of Village- Raghunathpur Belhi,
Police Station- Pandaul, District Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Harun Quareshi, Advocate

For the State : Mr. S.M. Rahman, APP

For the Informant : Mr. Sachchida Nand Lal Karn, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 26-09-2016 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 376, 420, 313, 328 and 346/34 of the
I.P.C.

The prosecution case, in brief, is that the informant was
doing work as a maid-servant in the house of the petitioner. The
petitioner on the pretext of marriage regularly raped with her, on
account of which she had become pregnant. When the matter
came before the petitioner's brother, he assured the informant for
doing Nikah with his brother. Thereafter they gave medicine to
her for abortion of pregnancy. A panchayati was also held but of
no avail. During this period, the informant gave a birth to a male
child but the petitioner did not agree for doing Nikah with the
informant.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 9.5.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner denies the allegations made in the F.I.R. The victim is of a questionable character. It is further submitted that the petitioner is ready to deposit an amount of Rs.50,000/- in the court below, which shall be subject to the final disposal of the case.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. On the pretext of marriage, he had established physical relationship with the victim.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs.50,000/- in the court below, which shall be subject to the final disposal of the case and on doing so, let the petitioner above named 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 the learned Chief Judicial Magistrate, Madhubani in connection with Pandaul P.S. case No.201 of 2015.

Narendra/-

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(Sudhir Singh, J)