

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.50046 of 2015**

Arising Out of PS.Case No. -120 Year- 2013 Thana -DIGHALBANK District- KISANGANJ

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Rafique @ Md. Rafique Son of Bahruddin @ Bashiruddin,

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate

For the Opposite Party/s : Mr. J. N. Thakur, (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

3 22-01-2016

Heard learned counsels for the petitioner and the  
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 498, 498A, 323, 313, 374, 367, 368, 366/34 of the Indian Penal Code.

Prosecution case is that the informant was married to one Budh Lal Murmu but subsequently due to strained relationship she left the matrimonial house when she was allured by Tilia Hansada and Tala Hembrum and was taken to Delhi on promise of getting herself employed.

The informant was kept in the house of the petitioner for three days and where Tala Hembrum got the pregnancy terminated. It is alleged against the petitioner that the petitioner on the pretext of getting the informant employed sold her to

somebody where the employer tortured the informant.

It is submitted by learned counsel for the petitioner that even assuming the accusation neither a case under section 498A or 313 IPC has been levelled nor made out against the petitioner. There is nothing on record to suggest that the informant was sold by the petitioner or she was being persuaded for employment. The accusation has not been supported by the witnesses during investigation. Moreover, the thrust of accusation is against Tala Hembrum.

Considering the nature of accusation, it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Dighal Bank P.S. Case No.120/2013, pending before the learned SDJM, Kishanganj.

With the above observation, this application is, accordingly, disposed off.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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