

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51103 of 2015

Arising Out of PS.Case No. -41 Year- 2014 Thana -BAIKUNTHPUR District- GOPALGANJ

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Kayamuddin @ Kayamuddin Mian Son of Muslim Mian, R/o Village- Sirsa
Bijul P.S.- Baikunthpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Veerendra Narayan
For the Opposite Party/s : Mr. Pushpa Sinha-Ii(App)

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

3 09-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with Baikunthpur
P.S. Case No. 41 of 2014 registered under Sections 341, 323, 342
and 376 of the I.P.C.

The prosecution case is that in the night of
12/12.03.2014 informant Ruksana Khatoon was in court yard near
hand-pump to clean her daughter after attending the nature of call.
At that time, the petitioner came near her while informant tried to
raise hulla but her mouth was closed by this petitioner and on the
point of knife, petitioner committed rape at her. On raising hulla,
informant's family members gathered and the petitioner was
locked in the room. Her husband Imammudin came in the morning

then the door was opened and informant narrated the incident to the six persons named in the F.I.R.

Learned counsel for the petitioner submits that petitioner is cousin of the husband of the informant and due to family dispute and grudge, the petitioner has falsely been implicated in this case and is in custody since 25.08.2015. Further, submission is that it is alleged in the F.I.R. that the petitioner was locked in the room but none of the witnesses has said about releasing the petitioner from the room.

Having considered the facts and circumstances of the case, let the above named petitioner 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 J.M., 1st Class, Gopalganj in connection with Baikunthpur P.S. Case No.41 of 2014.

(Rajendra Kumar Mishra, J)

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