

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1124 of 2017

Arising Out of PS.Case No. -58 Year- 2016 Thana -MAHILA P.S. District- PURNIA

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Md. Badruzzama @ Badruzzaman, Son of Md. Mumtaz Alam, Resident of
Village-Balwa, P.S. Jalalgarh, District-Purnia.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bishwanath Prasad Singh

For the Opposite Party/s : Mr. Umesh Lal Verma

For the Informant : Mr. Nitesh Kumar

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

ORAL ORDER

2 16-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Mahila
P.S. Case No. 58 of 2016, registered under Section 376/34 of the
Indian Penal Code.

The accusation is that petitioner committed rape
before six months with the informant and thereafter, petitioner
developed physical relation with the informant on the pretext to
perform marriage with her, but when informant started to give
pressure to perform marriage, then petitioner did not take any
heed on it. Thereafter, a Panchayati was also convened in the
village, but father and brother of the petitioner started abusing
and assaulting to the informant and her family members.



Learned counsel for the petitioner submits that the petitioner and informant are next door neighbour. Further submission is that while the proposal was made to perform the marriage by the parents of the informant, but the parents of the petitioner refused the offer of marriage due to that reasons this false case has been lodged. Further submission is that allegation of rape said be committed before six months, but F.I.R. in this regard has not been lodged by the informant. Further submission is that petitioner is in custody since 29.11.2016.

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 Chief Judicial Magistrate, Purnea in connection with Mahila P.S. Case No. 558 of 2016.

(Rajendra Kumar Mishra, J)

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