

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9508 of 2017

Arising Out of PS.Case No. -137 Year- 2016 Thana -SURSAND District- SITAMARHI

=====

Md. Mobarak S/o Manir, Resident of Village- Pathanpura , P.S.- Sursand
,District- Stramarhi. Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 11-04-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Sursand P.S. Case
No. 137 of 2016 registered for the offences punishable under
Sections 341, 323, 365, 366 and 376 of the Indian Penal Code.

Allegedly, Md. Sahid allured the informant and brought her
at Surat, there, developed physical relationship with her and
assured to marry with her but did not marry with her and assaulted
her, the petitioner also came there and assaulted the informant and
then she came to her father and narrated the incident then the case
was lodged.

Submission is of false implication and that whatever
allegation is, that is against Md. Sahid not against the petitioner,
the petitioner without any fault is in custody since 05.11.2016,
chargesheet has already been submitted and there is no chance of



tampering with the prosecution evidence.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioner also assaulted the informant.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupari at Sitamarhi in connection with Sursand P.S. Case No. 137 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--

