

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27532 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Gulfam Kuraishi @ Gulfan Kuraishi @ Gulfam Kuraisi son of Israil Kuraishi, Resident of Village- Narainapur New Colony, P.S. Ramnagar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 01-08-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since 23.04.2017 in connection with Ramnagar P.S. Case No. 45 of 2017 for offences punishable under Sections 323, 324, 341, 448, 354, 376 and 511 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while her husband was away from the house and she was alone, the petitioner came to her house with bad intention but on protest, he started abusing her and assaulted her with fists and slaps.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history, and after institution of the present case, the informant has lodged two cases against him as both the families are next door neighbors and always quarrelling. He submits that independent witnesses have not supported the prosecution case rather, they submitted that because of fight between the family members of the petitioner, his sister had bit the informant and injury has been found to be simple in nature. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned counsel for the informant and learned counsel for the state opposes the prayer for bail stating therein that as many as two cases have been lodged against the petitioner after institution of the present case and the petitioner had alleged to have tried to commit rape on informant.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, S.D.J.M., Bagaha, West Champaran in connection with Ramnagar P.S. Case No. 45 of 2017, subject to the condition that one of the bailors would be a close relative of



the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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