

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36561 of 2017

Arising Out of PS.Case No. -401 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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Md. Jamal, son of Abdus Samad @ Mohammad Samad Ali @ Abdul Samad, resident of village-Paika Gola Kamalpur, P.S. Sadar Muffasil, District-Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Fahad Khurshid, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 02-08-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Sadar Muffasil P.S. Case No. 401 of 2016, corresponding to S.T. No. 40 of 2017, registered under Section 376 of the Indian Penal Code.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was refused on 02.02.2017 vide Criminal Miscellaneous No. 1899 of 2017 taking into consideration that petitioner committed rape upon the informant. Further submission is that after commitment of the case, the informant is examined as P.W.2, but she has not supported the case of the prosecution regarding committing of rape upon her



and she simply stated that she filed this case due to non-returning of money by the petitioner.

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) two sureties of the like amount each to the satisfaction of the Sessions Judge, Purnea in connection with Sadar Muffasil P.S. Case No. 401 of 2016, corresponding to S.T. No. 40 of 2017.

(Rajendra Kumar Mishra, J)

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