

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39838 of 2017

Arising Out of PS.Case No. -251 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

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Md. Samim, Son of Late Ishahak, Resident of Village-Mirzapur Diyari,
Police Station Raniganj, District-Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
26.06.2016 in connection with Saur Bazar P.S. Case No. 251 of
2016 for offences punishable under Sections 420, 494 and 364
of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that her father had died and her brother Md. Afaque had gone
to Panipat 22 years ago but did not return. One day, the
petitioner claimed to be her lost brother and after some time
taking her in confidence he wished to get married for which the



informant with the help of villagers got him married to the daughter of co-villager Asfak Alam but the petitioner got ancestral land sold and took away 1,25,000/- and disappeared . After sometime, he was found lying and his hands and waist were tied with a rope and information was received that he was already a married man and had a child.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. It is submitted that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since more than one year three months. He submits that a compromise between the parties has been effectuated and as such the petitioner be granted the privilege of bail.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner the petitioner appear before the learned court below and on being satisfied of the compromise, the petitioner will 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 learned
Chief Judicial Magistrate, Saharsa in connection with Saur
Bazar P.S. Case No. 251 of 2016.

(Nilu Agrawal, J)

Devendra/-

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