

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6197 of 2017

Arising Out of PS.Case No. -69 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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Md. Nizam, S/o Late Dosad, Resident of Village Bara, P.S. Jokihat,
District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Sri Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 07-03-2017 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. 69 of 2016, registered under Sections 366 and 376
of the Indian Penal Code.

The accusation is that Md. Tasibul, brother of the
petitioner, developed the physical relation with informant before
six months ago on pretext to perform the marriage. In the
meantime, she conceived pregnancy, on which, she asked Md.
Tasibul to perform the marriage but Md. Tasibul did not take any
heed. On 14.08.2016, at about 8 P.M., Tasibul and his brothers
including the petitioner along with Samim, Firja, wife of Tasibul
and Soyaba forcibly boarded the informant on Tempo and taken at



Araria Court Station, from where, she was taken at Katihar but anyhow she succeeded to flee away.

Learned counsel for the petitioner submits that petitioner is brother of co-accused, Md. Tasibul, who is said to be developed the physical relation with the informant on pretext to perform the marriage, due to that reason he has falsely been implicated in this case. It is further submitted that, in fact, marriage of informant has been solemnized with co-accused, Tasibul, brother of petitioner. Further submission is that petitioner is in custody since 14.11.2016.

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 S.D.J.M., Araria, in connection with Mahila P.S. Case No. 69 of 2016. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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