

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.755 of 2017

Arising Out of PS.Case No. -61 Year- 2013 Thana -LAKHNAUR District- MADHUBANI

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1. Brahmdev Singh Son of Ramprasad Mahto Resident of Village-
Parmeshra, P.S.- Lakhnour, Distt-Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Kamran

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 22-02-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 30.09.2016 in connection
with Lakhnour P.S. Case No. 61 of 2013 registered under Section 376
of the Indian Penal Code.

According to the prosecution, the accused-petitioner
established physical relation with the informant on the pretext of
marriage but denied to perform marriage with the informant.

Learned counsel for the petitioner has submitted that the
petitioner is innocent and has not committed any offence. In fact, there
was love affair between the petitioner and the informant. The victim
herself in an affidavit has stated that the petitioner has not established
any physical relation with her, which is evident from annexure-2 series.
The petitioner is rotting in custody for the last five months.



Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Jhanjharpur in connection with Lakhnour P.S. Case No. 61 of 2013.

(Arvind Srivastava, J)

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