

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22260 of 2017

Arising Out of PS.Case No. -64 Year- 2015 Thana -MAHILA P.S. District- KISANGANJ

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Md. Tahir @ Laddu @ Md. Taheer son of Kurban Ali resident of village -
Ratwa, P.S. - Paharkatta, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pinki Begum D/o Jamsuddin resident of village- Fulhara P.S. Paharkatta
District-Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the State : Mrs. Dr. Indihar Kumari, A.P.P.

For the informant : Mr. Ram Vinay Pd. Singh @ Sanjay, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 06-09-2017 Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned APP for the State.

Petitioner is languishing in judicial custody since
21.03.2017 in connection with Kishanganj (Mahila) P.S. Case No.
64 of 2015 for offences punishable under Sections 341, 342, 376,
292, 313, 506/509 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner used to come to her house, committed rape on
her many times and threatened and also made a video



blackmailing her, as a result she became two months pregnant and was taken to the hospital by the petitioner and his family members where she was aborted.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the statement in the fardbeyan has been contradicted by the mother of the informant that informant was taken to the hospital by her and her family members. He submits that no such occurrence has taken place and now the informant is a married lady who has married with one Md. Rashid. He submits that the age of the informant has been assessed by the medical board to be 17-19 years as such she is a major and that there was a Panchayati held in which the father of the petitioner had agreed to pay Rs. 1,25,000/- which was not paid hence this false case has been lodged. He submits that charge-sheet has already been submitted and both the petitioner and informant are living their own life.

However, learned counsel for the opposite party no. 2 although agrees that the informant is now a married lady but opposes the prayer for bail. Learned APP for the State also opposes the prayer for bail.

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, Kishanganj in connection with Kishanganj (Mahila) P.S. Case No. 64 of 2015.

(Nilu Agrawal, J)

Devendra/-

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