

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41402 of 2017**

Arising Out of PS.Case No. -317 Year- 2016 Thana -KADWA District- KATIHAR

=====

Jalal @ Md. Jalal, Son of Samed, R/o Village- Gairiya, P.S.- Kadwa,  
District- Katihar.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abdul Wadood, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastriji, APP

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

2      21-09-2017                      Heard learned counsel for the petitioner and the  
  
learned counsel appearing on behalf of the State.

The petitioner is in custody since 22.06.2017 on his  
surrender in connection with Kadwa P.S. Case No.317 of  
2016 (G.R. No.4742 of 2016) registered for the offence under  
Sections 376, 342 and 323 of the Indian Penal Code.

Learned counsel for the petitioner submits that there  
is delay in lodging of the complaint case and, in fact, the same  
is counterblast to the case filed by the petitioner's brother  
against the father of the informant. It is further submitted that  
though the incident is of 14.11.2016, the victim girl has been  
placed for medical examination on 21.03.2017 where her age  
has been determined to be 19 years.



Considering the fact that the entire case has been filed without placing the victim girl/informant for immediate medical examination and also because the petitioner is having no criminal antecedents and has himself surrendered before the court below, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Katihar, in connection with Kadwa P.S. Case No.317 of 2016 (G.R. No.4742 of 2016).

**(Anjana Mishra, J)**

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