

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43046 of 2017

Arising Out of PS. Case No.-97 Year-2016 Thana- MAHILA P.S. District- Nalanda

Md. Sajid @ Sahjad, S/o Sahabuddin, Residence of Village- Baksauti, Police Station- Govindpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Rina Sinha, Advocate
For the State	:	Mr. SANJAY KUMAR, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

The petitioner seeks bail in a case registered under Sections 376 and 379/34 of the I.P.C.

The prosecution case, in short, is that on 6.4.2016, in absence of the informant's parents the petitioner took her at Nawada and without marriage and will made physical relation with her.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.7.2017 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case has been instituted after a period of three months from the date of occurrence. Delay has



not been explained by the prosecution. There is a contradiction between the statement made under Section 164 Cr.P.C. and the statement made in the F.I.R. by the informant. When the informant was asked for medical examination, she refused to get the medical examination conducted.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Bihar Sharif in connection with Mahila P.S. case No.97 of 2016.

(Sudhir Singh, J)

Narendra/-

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