

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66258 of 2018

Arising Out of PS.Case No. -178 Year- 2018 Thana -GAYA MUFASIL District- GAYA

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Md. Samir @ Samir, son of Md. Kamruddin @ Md. Kamru, resident of
village Bhusanda, P.S. Mofassil, Distt. Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-11-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Mofassil P.S. Case No.
178 of 2018 instituted for the offence under Sections 366, 376
and 511 of the Indian Penal Code.

Counsel for the petitioner submits that petitioner is
brother of co-accused Jasim.

It is alleged in the written report that petitioner took the
informant on pretext to marry with her. The informant was
confined in a room. It is further alleged that petitioner tried to
make physical relationship with the informant. The informant
refused to make physical relation with petitioner till court
marriage is performed.

The victim girl (informant) has stated in her statement
recorded under Section 164 Cr. P.C. that she was in love with



Jasim. She had voluntarily gone with him. She has performed marriage with Jasim in Vishnupad Mandir. She lived with the petitioner in Gaya for 2 to 3 months.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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, Gaya, in connection with Mofassil P.S. Case No. 178 of 2018 subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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