

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62657 of 2018

Arising Out of PS.Case No. -75 Year- 2018 Thana -AMDABAD District- KATIHAR

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Toufique Alam, Son of Md. Ekarmul Haque @ Ekramaul Haque, Resident
Bharnathi (Toal Maltipur), P.S.- Amdabad, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha, Advocate.
For the Opposite Party/s : Mr. Nand Kumar, A.P.P.
For the informant : Md. Nurul Hoda, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 05-11-2018 Heard learned counsel for the petitioner, counsel for the
informant and the State.

The petitioner seeks bail in Amdabad P.S. Case No. 75 of
2018 instituted for the offence under Sections 376 and 313/34 of the
Indian Penal Code.

It is alleged in the written report that petitioner established
sexual relationship with the informant about six months back on the
pretext of performing marriage with her. The informant got pregnant
and also got abortion on advice of this petitioner. The petitioner did
not perform marriage with her.

Counsel for the petitioner submits that victim girl has given
statement under Section 164 Cr. P.C. wherein she has stated her age as
19 years. The court has assessed her age to be 20 years. Counsel for
the petitioner further submits that informant is major. She is



consenting party. The instant case has been filed only to give pressure to perform marriage with the informant.

Therefore, 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 Sri D. Singh, learned Judicial Magistrate, 1st Class, Katihar, in connection with Amdabad P.S. Case No. 75 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

(i) The petitioner will cooperate in conclusion of the trial.
(ii) He will remain present on each and every date of trial till disposal of the case. (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial. (iv) In the event of default of two consecutive dates without valid reason, his bail bonds will liable to be cancelled.

S.Ali/-

(Sanjay Priya, J)

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