

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74218 of 2018

Arising Out of PS. Case No.-223 Year-2018 Thana- PARBATTa District- Khagaria

SADDAM HUSAIN @ SADDAM BAITHA son of Mantto Baitha @ Rahmat Baitha, resident of Village- Deotha Police Station- Pasraha, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Bhushan, Advocate

For the Opposite Party/s : Mr. Dr. Indihar Kumari (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Parbatta P.S. Case No. 223 of 2018 (G.R. No. 1687 of 2018) registered for the offences punishable under Sections 376 and 313 of the Indian Penal Code.

Informant has alleged that petitioner had established physical relation with her on promise of marriage but subsequently he denied the marriage.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. There is no allegation against petitioner of doing any act against the will of informant or



without her consent. Petitioner has no criminal antecedent and is in custody since 25.07.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Assistant Chief Judicial Magistrate, Khagaria, in connection with Parwatta P.S. Case No. 223 of 2018 (G.R. No. 1687 of 2018), subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

Rajiv/Manoj

(S. Kumar, J)

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