

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.479 of 2018

Arising Out of PS.Case No. -19 Year- 2017 Thana -PRANPUR District- KATIHAR

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Md. Manjur Alam S/o Jamshed Ali, R/o Village- Boura, P.S.- Kadwa,
District- Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. Rumisha Khatoon @ Ramishah Khatoon D/o Md. Ainul Haque, R/o
Village- Khirda Tola, Siranda, P.S.- Parnpur, District- Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate.

For the State : Mr. Rajendra Singh Shastriji, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The languishing in custody since 21.07.2017 in a case
for the offence registered under Sections 376, 313, 120(B), 498(A)
of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry. It is further alleged that the
petitioner on the point of knife committed rape upon the victim.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no



allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. No offence under Section 313 of the IPC is made out in light of medical examination report annexed as Annexure-3 to the present application. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

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 the learned A.C.J.M. 1st, Katihar, in connection with Pranpur P.S. Case No. 19 of 2017.

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(Sudhir Singh, J)