

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39605 of 2018

Arising Out of PS.Case No. -309 Year- 2017 Thana -MAHESI District- EASTCHAMPARAN
(MOTIHARI)

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Javed Raja @ Chotu, Son of Manssor Qureshi @ Mansoor Alam @
Mansoor Alam Resident of Bada Mohalla Qasba, Mehsi, P.S. - Mehsi,
District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-09-2018 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant and learned APP for
the State.

Petitioner is languishing in judicial custody since
26.05.2018 in connection with Mehsi P.S. Case No. 309 of 2017
for offences punishable under Sections 363/366/323/341/504/34 of
the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that she was taken away by the petitioner for the purpose of
marriage and when the petitioner came back to his house, his
family members did not accept the informant.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and both the petitioner and the informant had love affair and it was a consented relationship between them as the informant has been found to be a major in the medical report being 20 years of age. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses.

However, learned counsel for the informant and learned APP for the State vehemently oppose the prayer for bail stating therein that the informant was duped on the pretext of marriage and committed rape on her as is evident from her statement before the Magistrate under Section 164 Cr.P.C.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Additional Chief Judicial Magistrate-VIth, Motihari, in connection with Mehshi P.S. Case No. 309 of 2017.

(Nilu Agrawal, J)

Devendra/Priyanka

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