

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54353 of 2018**

Arising Out of PS.Case No. -2154 Year- 2017 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

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Md. Naushad @ Naushad Alam S/o- Late Abdul Jalil, resident of Village-  
Arjun Bitta, P.S. Rauta, District- Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Rezwi Begum W/o- Tahmid @ Jamil, resident of Village- Arjun Bitta,  
P.S. Rauta, District- Purnea.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nafisuzzoha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      25-10-2018                      Heard learned counsel for petitioner learned counsel for  
the informant and learned A.P.P. for the State.

Petitioner seeks bail in Purnea Complaint Case No.  
C.A.-2154/2017, registered for the offences punishable under  
Sections 376, 379 and 34 of the Indian Penal Code.

Informant alleged that on 11.11.2017 at about 12.30 in  
the night, she had gone to ease out herself out of the house, then  
petitioner after alluring her, took away to his house and snatched  
away her ornaments and cash of Rs. 44,000/-. Petitioner used to  
commit rape with her. Anyhow she fled away from the petitioner's  
house and came at her house.

It has been submitted that petitioner has falsely been



implicated in this case due to enmity. There is case and counter case (vide Annexure-3). Case of petitioner is of prior date. Offence is alleged to be committed from 11.11.2017 to 17.11.2017, but complaint has been filed on 24.11.2017.

Petitioner has no criminal antecedent. He is in custody since 24.07.2018.

Counsel for Informant has vehemently opposed the bail petition.

Considering the facts aforesaid, the petitioner above-named, is directed to 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 Chief Judicial Magistrate, Purnea in connection with Purnea Complaint Case No. C.A.-2154/2017, subject to the 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to



cancel his bail bonds.

(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.

**(S. Kumar, J)**

Vinita/-

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