

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11713 of 2019

Arising Out of PS. Case No.-60 Year-2012 Thana- JALALGARH District- Purnia

MD. IMTIYAZ Son of Nazamuddin Resident of village-Kumharwa, P.S.-
Jalalgarh, District-Purnea

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Najrin, wife of Md. Khalid, resident of Kumharwa, P.S. Jalangarh,
District-Purnia.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 20-06-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Jalalgarh P.S. Case No.60 of 2012 registered under
Sections 376 and 225 of the Indian Penal Code.

The accusation against the petitioner is of committing
rape on the complainant/informant/opposite party no.2.

Learned counsel for the petitioner submits that on the
basis of complaint petition filed by the complainant/informant,
the present F.I.R. was lodged. On investigation, the police
submitted the final form but differing with the final form, the
learned court below took the cognizance of the offence against



the petitioner under Sections 376 and 225 of the Indian Penal Code. Further submission is that, in fact, due to land dispute, the present case had been lodged but, later on, the complainant/informant/opposite party no.2 filed the compromise petition in the court of the Chief Judicial Magistrate, Purnia. While the notice as issued to the opposite party no.2 under ordinary process was received by her but she did not turn up before this Court.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Purnea, in connection with Jalalgarh P.S. Case No.60 of 2012, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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