

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15609 of 2019

Arising Out of PS. Case No.-280 Year-2014 Thana- AMAUR District- Purnia

Md. Shahjad @ Mulla @ Md. Shahzad Alam Sheikh @ Shajad S/o Sri Abdul
Wadood R/o- Village Nahra Koal, P.S.- Amour, District- Purnia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 376 of the Indian Penal Code.

Allegation is that the petitioner committed rape upon
the victim.

It has been submitted on behalf of the petitioner that
the petitioner is in custody 04.12.2018 and has got no criminal
antecedent. Charge sheet has been submitted in this case. There
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the
present case. There is no medical report in the case diary to
support the allegations made in the F.I.R. Physical relationship
is said to have been established between the petitioner and the



victim, which led to her pregnancy. Petitioner denies the allegations. It is further submitted that the petitioner had made an application in the court below for D.N.A. test. Said application is pending till date. No order has been passed by the court below.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

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 learned C.J.M., Purnia in connection with Amour P.S. case No.280 of 2014.

The court below is directed to pass an appropriate order in accordance with law on the application filed on behalf of the petitioner for D.N.A. test.

(Sudhir Singh, J)

Narendra/-

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