

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1253 of 2019

Arising Out of PS. Case No.-129 Year-2018 Thana- ABADPUR District- Katihar

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Md. Mansoor @ Behra @ Bahra S/o Late Muzaffar Hussain, resident of
Village- Bhawanipur, P.S.-Abadpur, District-Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Iftekhar Mahmood

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 15-03-2019 Supplementary affidavit is filed on behalf of the

petitioner. Let it be kept on record.

Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
395 and 398 of the IPC.

Five persons including petitioner were caught when
allegedly, they had entered into the house of informant for
committing dacoity. However, two co-accused, having similar
allegation, have already been granted privilege of bail by the
learned Sessions Judge, Katihar vide order dated 3.12.2018
passed in BP No. 751/2018.

Submission on behalf of petitioner is that the maternal



niece of the petitioner was raped by son of the informant on false promise of marriage and for which maternal niece of the petitioner lodged Abadpur P.S. Case No. 136/2018. It is submitted on behalf of the petitioner that, as a matter of fact, an altercation took place between the parties on the alleged date of occurrence due to above stated misdeed of son of the informant but informant, in collusion with local police, lodged this false case. It is further contended that when the informant realized his mistakes, he entered into compromise which has been annexed in supplementary affidavit.

No doubt, there is criminal antecedent of the petitioner but taking note of the aforesaid fact as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Ist Class, Katihar in Abadpur P.S. Case no. 129/2018.

(Hemant Kumar Srivastava, J)

s.hassan/abhijeet

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