

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39604 of 2019

Arising Out of PS. Case No.-14 Year-2017 Thana- PURNEA SADAR District- Purnia

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MOHAMMAD KAISAR @ MD. KAISAR @ KAISAR Son of Md. Kasim
@ Kasim Resident of Barhari, P.S.-Sadar, District-Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Khatim Reza

For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioner
and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 341, 342, 376 and 34 of the Indian Penal Code.

Prosecution case in brief is that the informant was abducted by three persons and thereafter, those three persons established physical relationship with the victim informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses qua the petitioner herein. The petitioner is in custody since 04-01-2019. Charge sheet has already been submitted. From perusal of Annexure-3 to this petition, it appears that the petitioner has been made accused in this case due



to mistake of fact. To this effect, an affidavit has been filed by the victim in the court below. It has been further submitted that exactly similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court by an order dated 16.05.2019 passed in Criminal Misc. No. 32222 of 2019.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/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 Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 14 of 2017 (G.R. No. 86 of 2017).

(Mohit Kumar Shah, J)

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