

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2465 of 2020

Arising Out of PS. Case No.-262 Year-2019 Thana- AAJAM NAGAR District- Katihar

Malekh @ Khalekh @ Md. Khaleque S/o- Shekh Najrool R/o- Jamalpur, P.S.-
Harishchandrapur, District- Malda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 24-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

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

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, it is
apparent from the F.I.R. itself that there was consensual
physical relation between the petitioner and the victim on
the pretext of marriage, therefore, no case under Section 376
of the Indian Penal Code is made out against the petitioner.
The petitioner is rotting in judicial custody since 10.10.2019.

Considering the facts and circumstances of the



case, let the, above named, petitioner be released on bail on
furnishing bail bond of Rs. 10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of
learned A.D.J.-1st, -cum- Special Judge, Katihar, in connection
with Azamnagar P.S. Case No. 262 of 2019.

(Arvind Srivastava, J)

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