

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 18532 of 2020

Arising out of PS Case No.-55 Year-2019 Thana-Mahila P.S. District-Kishanganj

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Md. Alam, aged about 49 years, male, Son of Ainuddin, R/o Village-Kelabari,
P.S. Dighalbank, District-Kishanganj.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the State : Mr. Jagdhar Prasad, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

03/- 03.09.2020

Heard Mr. Ram Prawesh Kumar, learned Advocate for
the petitioner and Mr. Jagdhar Prasad, learned APP for the
State.



The petitioner seeks bail in anticipation of his arrest in connection with Kishanganj Mahila P.S. Case No. 55 of 2019, dated 27.12.2019, instituted for the offences under Sections 341, 323, 376, 313 and 34 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

The father of the victim girl has stated that when on one occasion his daughter had fallen ill, she was taken to a local Doctor, who informed that she is pregnant. This completely shocked the informant. Later, he learnt that one Md. Tausif had subjected his daughter to sexual intercourse. In the same connection, the informant claims to have learnt that the petitioner had administered some medicine to the victim for the purposes of causing abortion.

Learned counsel for the petitioner has submitted that apart from this vague information to the informant, there is no other material to connect the petitioner with the offence. In the course of investigation, many persons were interrogated, but none of them have taken the name of the petitioner. Even in the F.I.R.,

e petitioner has been mentioned



without any parentage. It has further been submitted that the implication of the petitioner in the present case is only because of village enmity and politics.

Regard being had to the nature of accusation against the petitioner, he, in the event of his arrest/surrender before the Court below within a period of eight weeks from today, is directed to be released on bail on his furnishing bail-bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-Cum-Special Judge, Kishanganj in connection Kishanganj Mahila P.S. Case No. 55 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J.)

Praveen-II/-

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