

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22388 of 2020

Arising Out of PS. Case No.-654 Year-2013 Thana- HAJIPUR District- Vaishali

MD. MAJAHARUL @ MD. MAJHARUL @ MAJAHARUL S/o Sharafat
Husain R/o Village- Bagmali Sanchipatti, P.S.- Hajipur Town, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Aditya Narayan Singh .G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of lifting of the lockdown in the
State of Bihar.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 147, 364, 365, 368, 370, 380/34 of the
Indian Penal Code.



The prosecution allegation, in short, is that the accused persons entered into the house of the informant and on the point of the pistol took her and when she regained her conscious, she found herself captivated in a room and the accused persons forcibly committed illicit act on her and on protest, she was assaulted by them.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 1.6.2020. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. There is no medical report in support of the allegations made in the complaint/F.I.R. The husband of the victim had also instituted an F.I.R. vide Annexure-2 to the present application where he has alleged that his wife has eloped with someone. The date of occurrence is 2.2.2012 for which complaint case was filed on 13.09.2013. The delay has not been explained on the part of the prosecution.

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, it is directed that 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
Chief Judicial Magistrate, Vaishali at Hajipur in connection with
Hajipur Town P.S. Case No. 654/2013.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

