

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67596 of 2019

Arising Out of PS. Case No.-48 Year-2014 Thana- MAHILA P.S District- West Champaran

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MUSLIM MIAN Son of Sahabazad Mian @ Sahabazad Miyan Resident of
Village - Sohsa, Chhawagharia, P.S.- Ramnagar, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 341/323/498A of the Indian Penal Code. Later on offences under Section 376 of the Indian Penal Code and Sections 8/12 of the POCSO Act were added.

The petitioner is in custody since 01.09.2018.

Allegation is of demand of dowry and torture for the same. During investigation of the case the statement of the daughter of the victim was recorded under Section 164 Cr.P.C. wherein she alleged that the petitioner committed rape against her.

Learned counsel for the petitioner submits that the concocted statement was given under Section 164 Cr.P.C. just to



pressurize in the matrimonial dispute.

Considering the submission aforesaid and completion of investigation as well as the fact that there is no material to substantiate that the petitioner is going to tamper with the evidence or hamper with the trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Mahila (Ramnagar Bagaha) P.S. Case No.48 of 2014, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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