

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40538 of 2020

Arising Out of PS. Case No.-385 Year-2019 Thana- BELAGANJ District- Gaya

MD MIFTAH ALAM @ MD NIFTAH ALAM Son of Abid Ali @ Abid Mian
Resident of Village- Bhikhachak, P.S.- Belaganj, District- Gaya (Bihar).

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Murad Ashraf
For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-07-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 24.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Belaganj P.S. Case no. 385 of 2019, registered under Sections 341, 342, 325, 354, 379 and 506 of the Indian Penal Code.

The accusation is that on 02.11.2019, informant Noorjahan Khatoon was accompanied by her cousin brother-in-law Md. Miftah Alam @ Md. Niftah Alam (Petitioner) boarding her on the motorcycle, on the pretext of preparing



affidavit for obtaining ration card at Kachhari, but the Court was closed due to Chhat festival. Thereafter, petitioner Md. Niftah Alam proceeded towards his house boarding the informant on motorcycle, but, he stopped the motorcycle at lonely place at about 8.00 P.M and started to cause assault and outrage her modesty at the point of Fasuli and he also snatched her gold chain. On raising alarm, the villagers rushed there and saved her.

Learned counsel for the petitioner submits that while occurrence is said to be of 02.11.2019, but the F.I.R. has been lodged after three days of the occurrence on 05.11.2019. Further submission is that it would appear from the F.I.R. that petitioner is none, but the cousin brother-in-law of informant and due to family dispute, the informant lodged the present case with false allegation. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-XI, Gaya in



connection with Belaganj P.S. Case No. 385 of 2019, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

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

