

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60403 of 2021**

Arising Out of PS. Case No.-109 Year-2021 Thana- FORBESGANJ District- Araria

Rahmatullah Son of Yakub Resident of Village - Training School Chawk,
P.S.- forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate.

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

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

2 13-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The application for grant of regular bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Forbesganj P. S. Case No. 109 of 2021 registered for the offences punishable under Sections 365, 366, 366A and 34 of the Indian Penal Code.

As per the prosecution case, the informant alleged that one Mohammad Ahmad, who is her neighbour, used to visit frequently to the house of his brother-in-law. Later on, said Mohammad Ahmad fled away with her daughter. The informant suspected the hand of this petitioner in the alleged occurrence.

Learned counsel appearing on behalf of the petitioner submits that even from perusal of the F.I.R., it is



evident that the victim was in love with Mohammad Ahmad and she frequently used to elope with him. Except the allegation of petitioner being brother-in-law, he has no concern with the alleged elopement of the victim. Learned counsel for the petitioner draws the attention to this Court towards the impugned order, from which it is evident that during the course of investigation no incriminating material has come which suggest involvement of this petitioner in the present case. It is next submitted that this petitioner having clean antecedent and is in judicial custody since 01.03.2021, apart from the fact that investigation has been concluded and the charge-sheet has already been submitted in the present case.

On the other hand, learned APP for the State opposes the bail application and submits that suspicion has been raised against this petitioner that he is involved in the present occurrence.

Having considered the submissions made on behalf of the parties and taking into consideration this fact that except suspicion, there is nothing against this petitioner and he is in custody since 01.03.2021 and has clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj P. S. Case No. 109 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

Shakir/-

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

