

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19242 of 2023**

Arising Out of PS. Case No.-189 Year-2022 Thana- KHARIK District- Bhagalpur

Rahim Alam @ Rahul @ Md. Rahim Alam @ Md. Rahul, S/o Sk Bhikho @
Md. Mursid R/o Village- Mahdatpur, P.S.- Naugachia, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 18-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 493, 498, 384, 387, 504 and 506 of the Indian Penal Code.

As per the prosecution case, the informant started construction work of his house and the petitioner was working as labor in the construction work. It is further alleged that the petitioner has enticed the informant's wife and made illicit relationship with her and they used to remain away from house for 8-10 days. It is further alleged that the petitioner took away jewelry, property paper along with money from the house of informant.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The F.I.R. has been lodged after an inordinate delay of 8 days. There is no eye witness of the alleged occurrence. The petitioner had worked in the house of informant as labor and when he had demanded the outstanding dues from the informant, he has falsely been implicated in this case. During course of investigation, the police has not examined the wife of the informant and she has not complained in any matter about the petitioner. There is dispute between the parties with regard to the wages. Nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 01.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kharik



P.S. Case No. 189 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

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