

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12529 of 2023

Arising Out of PS. Case No.-393 Year-2020 Thana- CHAKIA District- East Champaran

Soyeb Akhtar @ Shaoib Akhtar Son of Ayun Ansari @ Ayub Akhtar R/v-
Ganga Sirsiya, P.S.- Chakia, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 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 376 and 493 of the Indian Penal Code.

Allegation against the petitioner is that at the pretext of solemnization of marriage, petitioner made physical relation several times with the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that good sense has been prevailed between the parties and joint comprise petition has been filed before the learned court below (annexed as Annexure-2). Petitioner is major and wedded lady. It is further submitted that the informant was taking with the



petitioner at her door. In the meantime, her husband came and merely on the basis of suspicion, he started assaulting the informant. There is no question of second marriage of the informant without divorce from her husband. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 11.11.2022.

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 Chakia P.S. Case No. 393 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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