

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18512 of 2023

Arising Out of PS. Case No.-563 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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AZAM KHAN Son of Late Md. Nizam Khan Mohalla- Kabirpur Ps- Nath
Nagar Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 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, 313,
323, 506, 120(A)/34 of the Indian Penal Code.

As per prosecution case, the informant has made
allegation against the petitioner is of forcibly making physical
relation with her on the false pretext of solemnization of
marriage and thereafter, the petitioner denied the same.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case by the instigation of his
enemies. From perusal of FIR, it seems that there was



consensual relation between the informant and the petitioner. It is further submitted that good sense has been prevailed between the informant and the petitioner and in support of this, compromise petition has been annexed as Annexure-3 with the petition. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 13.12.2022.

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 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 Muzaffarpur P.S. Case No. 563 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur.

(Sunil Kumar Panwar, J)

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