

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24012 of 2023

Arising Out of PS. Case No.-264 Year-2022 Thana- AMDABAD District- Katihar

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MOHAMMAD FULTU @ FULTU ALAM @ MD. FULTU ALAM Son of
Mohammad Shahid R/V- Baida, PS- Amdabad, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

learned APP for the State.

Let the defect(s), if any, be removed within a
period of four weeks from today.

The petitioner seeks bail in connection with
Amdabad P.S. Case No. 264 of 2022 registered for the offence
under Sections 341/376/506/504/34 of the Indian Penal Code.

The prosecution story in short is that on
28.10.2022 at about 10.00PM, when the informant went to
orchard for bringing soil in the meantime the petitioner caught
her and took her in bamboo orchard and committed rape. The
petitioner threatened the informant that if she will disclose his
name he will kill her. Thereafter, the informant went to house
and disclosed the said occurrence among the family members



and thereafter the informant along with her family members went to the house of the petitioner but the father of the petitioner abused them and threatened them.

Learned counsel for the petitioner submits that the petitioner is in custody since 06.01.2023 and the petitioner is quite innocent and the date of occurrence is 28.10.2022 and the F.I.R. has been lodged on 15.11.2022 after eighteen days.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the delay in lodging the F.I.R., this application for regular bail is allowed.

Let the petitioner, above named, be released on bail **after framing of charge if the charge is not framed yet** and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Katihar/concerned Court below in connection with Amdabad P.S. Case No. 264 of 2022.

(Sandeep Kumar, J)

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