

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No. 36908 of 2023**

Arising Out of PS. Case No.-270 Year-2022 Thana- KUDHNI District- Muzaffarpur

1. MD. JAMAL @ MD. JAMALUDDIN Son of Md. Oli Ahmad Resident of village - Thatia (Kobia), P.S. - Kurhani, Distt. - Muzaffarpur
2. NOORJAHAN @ NOOR JAHN Wife of Md. Jamal @ Md. Jamaluddin Resident of village - Thatia (Kobia), P.S. - Kurhani, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Nachiketa Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA  
ORAL ORDER**

2      05-07-2023                      Heard Mr. Sanjay Kumar, learned counsel for the  
petitioners and Mr. Nachiketa jha, learned A.P.P for the State.

2. The petitioners seek bail in connection with Kudhani P.S. Case No. 270 of 2022 dated 01.06.2022 registered for the offence punishable under Sections 147, 148, 376, 354, 323, 506 and 420 of the Indian Penal Code.

3. The prosecution case, in short, is that informant and petitioner's son (co-accused) got acquainted with each other in tuition class and soon it turned into a love affair. It is further alleged that Md. Azhar (co-accused) on false promise of



marriage raped informant on several occasions. Again, on 02.03.2022 at about 02:00 am the co-accused silently entered informant's house and raped her.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and has been falsely implicated in this case. Both the petitioners are father and mother of the main accused Md. Azhar. It is submitted that as per allegation leveled in the F.I.R., the informant and Md. Azhar had developed intimate relation between them and on the pretext of marriage Md. Azhar made sexual relationship with the victim. It is also submitted that as a matter of abusing is completely exaggeration of the fact simply to implicate the petitioners into this case. Lastly, it has been submitted that the petitioners are in custody since 12.04.2023, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State and learned counsel for the informant opposes the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with each two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st



(West), Muzaffarpur in connection with Kudhani P.S. Case No.  
270 of 2022.

**(Khatim Reza, J)**

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