

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53215 of 2023

Arising Out of PS. Case No.-1210 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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Md. Nizam Khalifa S/O Late Chhotan Khalifa R/O Village- Mithapur, Ps.
Konch, Dist. Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Munni Khatoon D/O Md. Ismail Khatoon R/O Village- Mithapur, Ps. Aanti,
Dist. Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-08-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned

A.P.P for the State.

3. The petitioner has preferred this application for

grant of regular bail in connection with Complaint Case No.

1210 of 2016 dated 22.08.2016 registered for the offences

punishable u/ss 376, 366, 370 (A) (2), 571 and 120A of the

Indian Penal Code.

4. As per the prosecution case, one Munni who

happens to relative of complainant took her to Masauri on the



pretext of perform her marriage with her brother. Thereafter she took her to village- Pali where she called Abbas and told her to went with Abbas and he took her to a hut where an old lady resides there and kept her four days and during this period he made illicit physical relation with her and one day he was talking to someone for selling her of Rs. 20,000/- but she managed to escape from there.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The specific allegation of sexual assault is against the co-accused Abbas. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Complaint Case No. 1210



of 2016.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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