

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56788 of 2023

Arising Out of PS. Case No.-116 Year-2022 Thana- ALINAGAR District- Darbhanga

MD. AZIM @ MINNU SON OF MD. IRFAN RESIDENT OF VILLAGE-
MIRZAPUR, PS- ALINAGAR, DISTT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amir Alam

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 354(B), 323, 406, 504/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner is alleged to have established physical relation with the daughter of the informant on the pretext of performing marriage. The victim also got pregnant which was terminated by the petitioner by inducing her medicine. Accordingly, the present case has been lodged.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics.



From perusal of statement of victim recorded u/s 164 of the Cr.P.C. it appears that the victim is aged about 18 years and she established physical relation with the petitioner at the behest of solemnization of marriage. The victim and the petitioner, both belong to Muslim community. It is further submitted that the alleged occurrence took place on 18.11.2022 whereas the FIR was lodged on 24.11.2022 in delay of 6 days. Moreover, the petitioner is languishing in judicial custody since 25.11.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Alinagar P.S. Case No. 116 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st, Darbhanga.

(Sunil Kumar Panwar, J)

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