

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55039 of 2023

Arising Out of PS. Case No.-134 Year-2021 Thana- POTHIIYA District- Kishanganj

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Azmuddin Son Of Hanifuddin Village- Milik Basti Koimari Ps- Pothia Dist-
Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Sinha

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-12-2023 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 341, 376D, 504, 506 and 406 and 34 of the Indian Penal Code.

3. Allegation against the petitioner along with other co-accused persons is that they committed rape with the victim resulting to her pregnancy.

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. It is further submitted that during investigation, victim stated that she solemnized marriage with this petitioner and presently residing at matrimonial house and living a conjugal life with him and this fact has come in



para-8 of this petition. Victim is major aged about 22 years. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 02.05.2023.

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 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 Pothia P.S. Case No. 134 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 Additional Chief Judicial Magistrate, I/C, Kishanganj.

(Sunil Kumar Panwar, J)

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