

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61673 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- BARURAJ District- Muzaffarpur

MD. FIROJ ALAM, Son Of Sheikh Ansarul, R/O Village- Shekhvana, P.S.-
Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Ms.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 07-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with Baruraj P.S.
Case No. 152 of 2021 registered for the offence punishable under
Section 376 of the Indian Penal Code.

As per allegation, the informant, a married female, has
been allured by the petitioner on the pretext of facilitating sanction of
a loan in her favour. She has been confined in a room for two months
where the offence under Section 376 of the Indian Penal Code has
allegedly been committed. The informant thereafter narrated the
incident on 02.08.2021, after she fled from captivity. The petitioner,
thereafter, was apprehended on 09.08.2021.

Learned counsel for the petitioner submits that even as per
prosecution case, it is apparent that the informant's husband was
away from home for earning livelihood. The petitioner and the



informant were on good terms and under peer pressure from the villagers, the petitioner has been handed over to the Police custody by the villagers on 09.08.2021, since they objected to the petitioner's relationship with the informant. The petitioner, under such circumstances, having no antecedents, is in custody since 11.08.2021. Moreover, investigation is also complete.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, the nature of accusations, manner in which the petitioner has been apprehended, nearly seven days after the informant has allegedly narrated the incident regarding her captivity, the clean antecedents of the petitioner and his period of custody, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, West, Muzaffarpur, in connection with Baruraj P. S. Case No. 152 of 2021, subject to the following conditions:-

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(ii)That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

shashank/-

U		T	
---	--	---	--

