

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65792 of 2023

Arising Out of PS. Case No.-443 Year-2023 Thana- PURNEA SADAR District- Purnia

MD. NAIM son of Badir Village- mathor W.No-4, Ps- Dagarua Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 342, 376D, 504
and 506 of the Indian Penal Code.

3. The allegation against the petitioner along with
others is of establishing physical relationship with the
informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is the brother-in-law of the
victim. He submitted that on 29.04.2023 learned J.M. 1st Class,
Purnea, on perusal of complaint petition, S.A. of complainant
and depositions of enquiry witnesses took cognizance against



the co-accused namely, Md. Kaiyum @ Azam under Sections 498A, 504 and 506 of the IPC and by the same order the learned J.M.-1st Class found no *prima facie* case against the petitioner. Charge-sheet has been submitted against the petitioner. Learned counsel for the petitioner further submitted that good sense has been prevailed between the parties and learned counsel for the informant has asserted this fact. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 30.05.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Purnia in connection with Purnia Sadar P.S. Case No. 443 of 2023.

(Sunil Kumar Panwar, J)

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