

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77774 of 2023**

Arising Out of PS. Case No.-24 Year-2016 Thana- KOTWA District- East Champaran

MAMUN @ BHOBHAD SON OF NAWAB HUSSAIN @ SHEKH NAWAB
HUSAIN RESIDENT OF VILLAGE- POKHARA SHEIKH TOLI, P.S.-
KOTWA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 506 and 376
of the IPC.

3. The allegation against the petitioner is that he
forcibly committed rape upon the informant thereafter, she
became pregnant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has



committed no offence. He submitted that during course of investigation, it has come that the informant is doing work in the house of Nawab Hussain, who is the father of the petitioner and there was previous enmity with Jahangir Alam and Nesar Alam from the petitioner and his family member, who are the villagers of the petitioner accordingly, Jahangir Alam send the informant at Police Station with Nesar alam, who taken the thumb impression of the informant on a plain paper and the said plain paper was used as an application of the informant on which the present FIR has been lodged. He further submitted that the informant compromise the case without any pressure and she has no objection upon compromise, in support of this annexure-2 has been annexed with this petition. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 26.08.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as the 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Kotwa P.S. Case No. 24 of 2016.

(Sunil Kumar Panwar, J)

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