

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76583 of 2023**

Arising Out of PS. Case No.-160 Year-2022 Thana- BALIA BELON District- Katihar

Md. Ashique @ Md. Ashique Reja Master Jafar Sadique @ Md. Jafar  
Resident Of Vill- Kadamgachhi , P.S.-BARSOI, District Katihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shilpi Keshri

For the Opposite Party/s : Mr.Sharda Kumari

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

2      11-12-2023                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

The petitioner has filed the instant application  
for grant of regular bail in a case registered for the  
offences punishable under Sections 341, 323, 376, 504,  
506/34 of the Indian Penal Code.

Allegation against the petitioner is that he  
forcefully made sexual relation with the informant. When  
she narrated the incident to family members of the  
petitioner, they started abusing her and threw her out  
from their house.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is inordinate delay of about 45 days in lodging the F.I.R. It is further submitted that victim is a wedded lady and her husband resides at Saudi Arabia for his livelihood. She has contact with the petitioner since last one year. It appears from perusal of prosecution case that victim had consensual relation with the petitioner. Moreover, the petitioner is languishing in judicial custody since 14.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Balia Belon P.S. Case No. 160 of



2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge I-cum-Special Judge SC/ST, Katihar.

(Sunil Kumar Panwar, J)

Nirajkrs/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

