

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16386 of 2024

Arising Out of PS. Case No.-292 Year-2023 Thana- AMAUR District- Purnia

Mister @ Md. Mister, aged about 22 years, Male Son of Late Aiyub, Resident of Village- Chapraili, P.S. Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nadimul Hasan, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Amour PS Case No. 292 of 2023 instituted for the offences punishable under Sections 376/34 of the Indian Penal Code.

3. As per the allegation in the FIR, it is a case of committing rape upon the informant by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case due to dirty village politics. He further submits that some inimical person of the society unnecessarily implicated this petitioner in this case. It is also submitted that the informant wants to marry with the petitioner but the family members were not ready for marriage due to



which the present case has been lodged. Petitioner has got clean antecedent as stated in para 3 of the petition and is in custody since 05.01.2024.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the prayer for bail.

6. From perusal of the FIR and impugned order of the learned 1st Additional Sessions Judge, Purnea dated 24.01.2024, it appears that petitioner is named in the FIR. From perusal of the FIR, it appears that both the parties have compromised this case and a compromise petition (Nikahanama) is available on the record, which is Annexure-2 series in which petitioner and the informant have solemnized the marriage, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st, Purnea in connection with Amour PS Case No. 292 of 2023.

(Ramesh Chand Malviya, J)

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