IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54349 of 2024

Arising Out of PS. Case No.-170 Year-2023 Thana- JALALGARH District- Purnia

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Dilshad @ Gaju @ Md. Dilshad Alam, son of Ayyaj @ Md. Ayyaj @ Md. Ayas @ Md. Ayshuddin, Village- Jamira PO- Trauna PS- Jalalgarh, Dist- Purnia

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md Ziaul Quamar, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 29-11-2024 Heard Mr. Md Ziaul Quamar, learned counsel appearing on behalf of the petitioner and Mr. Umesh Lal Verma, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Jalalgarh P.S. Case No. 170 of 2023 registered under Section(s) 376, 504/34 of the Indian Penal Code.

3. The present case relates to the dispute between the petitioner and the informant, who were in love relationship with each other and a child born out of their love relationship.

4. Considering the desire and the responsibility shown by the petitioner towards his child, I find that due to strained relationship between the petitioner and the informant, their child should not suffer and the learned District Court, in such

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situation, should play the role of *parens patriae.* An endeavor is required to be taken with regard to the welfare of the child by learned District Court.

5. The regular bail of the petitioner is required to be considered in light of the law laid down by the Apex Court in the case of ***Naim Ahamed v. State (NCT Of Delhi)*** in ***Criminal Appeal No. 257 of 2023.***

6. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J.)

Ashishsingh/-

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