

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76609 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- DAGARUA District- Purnia

Kabir Hussain S/O Md. Abdul Hakim Resident of Village Barsouni, P.S-
Dagarua, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sneha Ara Khatoon D/o Md. Isha R/O Vill.- Telania Rahika P.S- Dagarua,
District - Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Jha, Advocate
For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-10-2024 Heard the parties.

2. The petitioner is in judicial custody in connection with Dagarua P.S. Case No. 108 of 2024 for the offence punishable under Sections 376, 420, 120(B), 323, 504, 506 of the Indian Penal Code lodged on 10.04.2024 by the informant, Sneha Ara Khatoon.

3. As per the prosecution story, the complainant promising marriage, she was sexually exploited but later he started looking the other way. Further, allegation is that though they prepared document for marriage, on that pretext again, she was sexually exploited and later took away the gold ring worth Rs. 50,000/-. Accordingly, the case.



4. Learned counsel for the petitioner submits that due to confusion, the case has come up, actually both were in relationship which ultimately led to their marriage, the lady is staying alongwith the petitioner's family but he is in jail since 01.09.2024 (para-13 of the petition) and the last submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that the allegation is there.

6. Considering the aforesaid submission put forward by the parties as also the fact though the case is there, as per the petition now the lady is staying with the family as the petitioner has chosen to marry her. He is in custody since 01.09.2024 and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Purnea, in connection with Dagarua P.S. Case No. 108 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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