

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77128 of 2023

Arising Out of PS. Case No.-280 Year-2022 Thana- BAKHARI District- Begusarai

Md. Shabir @ Md. Shabbir S/O Md. Yunus @ Md. Yunus Miyan R/O Ward
No. 07, Mohanpur, P.S- Bakhari, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal

For the Opposite Party/s : Mr.Arvind Kumar Pandey (App.84)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 323, 341, 379, 354(b), 447, 504, 376 and 307 of the Indian Penal Code.

3. Allegation against the petitioner is that he established physical relationship with the complainant/victim on the pretext of marriage and when victim told him to marry then he retracted. It is further alleged that he along with other co-accused persons assaulted her family members and snatched her gold jewellery and some cash.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The complainant/victim is



divorcee and matured lady. It is further submitted from para-10 of this petition that during the course of investigation, it has come that both parties were in love affairs and it was to the knowledge of all including the parents and family members of the complainant from the very beginning which shows that both parties are consenting parties. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.09.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bakhari P.S. Case No. 280 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai.

(Sunil Kumar Panwar, J)

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