

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20693 of 2015

Arising Out of PS.Case No. -131 Year- 2014 Thana -KADWA District- KATIHAR

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Tahjib Alam @ Md. Tahjib Alam son of Md. Alauddin @Bablu Resident
of Village- Rattanpur, P.s Balia Belone, District Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Anjum Akhter

For the Opposite Party/s : Mr. Mustaque Alam(APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-06-2015 Heard both sides.

The petitioner seeks bail in a case under Section 376 and other sections of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecutrix herself alleged that one day about nine months ago she had gone to attend call of nature but the petitioner committed rape with her at the point of knife on the assurance of marriage. The petitioner continued to have physical relation with the prosecutrix. The prosecutrix conceived and she was carrying pregnancy. She requested the petitioner to marry her but the petitioner refused to marry her. Thereafter the informant went to the father of the petitioner and narrated the story whereupon other accused persons assaulted her.

It appears on the face of the F.I.R. that the victim is a major girl and she was having physical relation with the petitioner with her consent.

Considering the facts aforesaid, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in connection with Kadwa (Balua-Belone) P.S.Case No. 131 of 2014.

(Prabhat Kumar Jha, J)

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