

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24183 of 2015

Arising Out of PS.Case No. -197 Year- 2013 Thana -DUMRA District- SITAMARHI

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1. Fazlu Rahman @ Fazloo Rahman son of Late Yasin

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Advocate

For the Opposite Party/s : Mr. R.B.Rai Raman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2015

Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since
27.03.2015 in a case registered for the offences punishable under
sections 366/372/376/120B/34 of the Indian Penal Code.

The informant being an orphan alleged that when
the petitioner along with other accused persons proposed her to
marry with Asraf Ansari, on refusal of the same, she was being
kidnapped and, thereafter, all the accused persons including the
petitioner ravished her in the house of one Md. Ali Akbar.

It is submitted by learned counsel for the petitioner
that in 164 Cr.P.C. statement the victim got her age recorded as
25 years whereas the learned court below assessed her age 22
years. The victim has further stated that on 07.05.2013 Asharaf

Ansari, Shoaib Ansari, Nazir Ansari, Zakir Ansari and Ali Akbar abducted her and, thereafter, Md. Ashraf Ansari ravished her. In her 164 Cr. P.C. statement the victim has not named the petitioner. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the 164 Cr.P.C. statement of the victim, let the above named petitioner be released on bail, 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, Sitamarhi in connection with Dumra P.S. Case No. 197 of 2013.

Ashwini/-

(Dinesh Kumar Singh, J)

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