

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17964 of 2015

Arising Out of PS.Case No. -226 Year- 2014 Thana -JALALGARH District- PURNIA

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Md. Imran son of Late Abdul Gaffar resident of village- Kumharwa, P.S.-
Jalalgarh, Distt. Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Ahmad Ali (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 10-09-2015

Heard both sides.

The petitioner seeks bail in a case under Sections
376, 313, 120(B) of the Indian Penal Code.

The informant filed complaint petition on 22.09.2014
alleging therein that since 13.05.2014 the petitioner was
committing rape with her on the pretext of marriage. On the basis
of the aforesaid complaint, the present F.I.R. was lodged. It is
submitted that the doctor examined the victim and assessed the
age of the victim between 17 to 18 years and did not find any sign
of rape.

On the other hand, learned counsel for the informant
vehemently opposed the prayer for bail and submitted that the
victim was a minor.

Taking into consideration the fact that the doctor

assessed the age of the victim between 17 to 18 years on the basis of the ossification test and the doctor did not find any sign of rape and on the face of the F.I.R. itself, it appears that the victim was a consenting party, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.K. Sinha, Judicial Magistrate, Purnea in Jalalgarh P.S. Case No. 226 of 2014.

(Prabhat Kumar Jha, J)

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