

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50730 of 2014

Arising Out of PS.Case No. -92 Year- 2011 Thana -BIRPUR District- SUPAUL

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1. Md. Mashoor Ali @ Mansoor Ali S/o Sirajuddin, resident of village-
Kusarmal, Tola- Ghoraghat, P.S.- Balua Bazar, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 09-04-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 27.02.2014 in a case

registered for the offence punishable under Section 376 of the

Indian Penal Code.

The contention on behalf of the petitioner is that even

if the prosecution story assumed to be true, then also, the

informant was a consenting party and no case under Section 376

of the Indian Penal Code is made out. It is further contended by

him that at best, it is a case of Section 417 of the Indian Penal

Code, which is bailable in nature.

Considering the aforesaid facts and circumstances as

well as period of detention of the petitioner in jail custody, let the

petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II, Supaul in connection with Sessions Trial No. 82 of 2014 arising out of Birpur P.S. Case No. 92 of 2011.

(Hemant Kumar Srivastava, J)

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