

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16467 of 2015

Arising Out of PS.Case No. -47 Year- 2014 Thana -SC/ST District- JAMUI

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Abid Mian son of Qurban Mian Resident of Bhachhiyar, Police Station -
Jamui, District - Jamui.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-05-2015

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 376(D) and other sections of the Indian Penal Code and
Section 3(i)(x)(xi)(xiii) of the SC/ST Act.

The informant made allegation that the petitioner and
Jahid Miyan took her and committed rape with her. Submission of
the learned counsel for the petitioner is that Anil Ravidas, the
husband of the informant Sarita Devi @ Goli, filed Laxmipur P.S.
Case No. 93 of 2011 under Sections 366/34 of the Indian Penal
Code and Section 3(x)(xii) of the SC/ST Act. The victim Sarita
Devi made her statement under Section 164 of the Code of
Criminal Procedure on 09.09.2011 and she disclosed that her
parents forcibly married her with Anil Ravidas. Her husband and
in-laws assaulted her and, that is why, she was fed-up and she

wanted to marry with Abid Mian, the petitioner. The victim is a major girl. The statement of the victim itself shows that she voluntarily went along with the petitioner. Later on, she filed a complaint petition making allegation of rape.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender in the court below within four weeks from today, 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 the learned Chief Judicial Magistrate, Jamui in SC/ST P.S. Case No. 47 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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