

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29463 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -BRAHMPURA District- MUZAFFARPUR

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1. MD. ARIF @ BABLU @ BABBU @ MD. ARIF ALAM @ ARIF ALAM S/o Md. Islam resident of Massu Colony, P.S. Brahampura District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-08-2015

Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in a case registered under section 376, (G)/34 of the Indian Penal Code and 4, 8, 12, 17, 18 POCS Act.

Prosecution case is that the informant as usually was going to take milk. Akbar was coming back and when she was returning then Akbar by force brought her in a bush of railway colony. In the meantime Saddam and Md. Arif and Bablu and two unknown boys came there. It is alleged that Arif and Samsad caught hold her hand and Akbar opened the Salwar and then on request of victim Saddam and Arif went out from that place. Then Akbar raped with informant and further two friend of

Akbar also committed rape on the informant.

It is submitted that the petitioner is in custody since 31.03.2015 and charge sheet has been submitted in the case. It is further submitted that petitioner has got no criminal antecedent. From perusal of statement of the victim girl recorded under section 164 Cr.P.C., it appears that petitioner is not named.

On behalf of the State it is submitted that petitioner is named in the first information report.

Considering the aforesaid facts, 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 like amount each to the satisfaction of Additional Sessions Judge _Ist-cum-Special POCSO, Muzaffarpur in Brahampura P.S. Case No. 79 of 2015.

(Sudhir Singh, J)

M.Rahman/-

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