

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5955 of 2015

Arising Out of PS.Case No. -208 Year- 2013 Thana -NATHNAGAR District- BHAGALPUR

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1. Md. Zubair S/O Md. Samsuddin R/O Mohalla-Sahajangi, P.S-
Habibpur, Distt- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Pradip Nr.Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 17-03-2015 Heard both sides.

The petitioner seeks bail in Nathnagar
(Madhusudanpur) P.S. Case No. 208 of 2013, registered for the
offences punishable under Section 366(A) and other Sections of
the Indian Penal Code.

The father of the victim alleged that the petitioner
kidnapped his daughter. The victim made her statement under
Section 164 of the Cr.P.C. and she disclosed her age to be 18
years. She further disclosed that on threat of life the petitioner
took her to Muzaffarpur and confined her in a room. The
petitioner committed rape with her.

Learned counsel for the petitioner submits that the
victim is a major girl and she appears to be a consenting party.

It appears that the victim went from Bhagalpur to Muzaffarpur in a train but she did not raise any alarm nor protested and this fact itself shows that the victim was a consenting party. The petitioner is in jail since 24.09.2014.

Considering the facts aforesaid the petitioner above named 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 Additional Chief Judicial Magistrate, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 208 of 2013.

(Prabhat Kumar Jha, J.)

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