

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54596 of 2016

Arising Out of PS.Case No. -195 Year- 2015 Thana -SINGHESHWARASHTHAN District-
MADHEPURA

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Md. Akbar Son of Md. Maslim Resident of Village-Chaura, Police Station-
Madhepura (Bharrahi), District-Madhepura Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Singheshwar
P.S. Case No. 195 of 2015 registered for the offence punishable
under Section 376/120B of the Indian Penal Code.

The allegation against the petitioner is that he committed
rape with minor daughter of the informant and in that occurrence
other co-accused also helped and assisted him.

Submission is of false implication and that the petitioner
has married with the victim girl, the father of the victim who is
informant has filed compromise petition accordingly, in the court
of learned Chief Judicial Magistrate, Madhepura and the victim
girl is living in the in-laws house happily and as such the
petitioner who is suffering in custody since 04.08.2016 deserves



sympathetic consideration as he is the husband of the victim girl.

Learned APP under the changed circumstances does not oppose the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of 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, Madhepura in connection with Singheshwar P.S. Case No. 195 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

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(Jitendra Mohan Sharma, J)

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