

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42245 of 2016**

Arising Out of PS.Case No. -40 Year- 2013 Thana -MAHILA P.S. District- ARRARIA

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1. Md. Gainul Son of late Rafique Resident of Village- Rampur Uttat Refral  
Road, P.S. Forbesganj, District Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Dr. Rabindra Kumar

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
ORAL ORDER

2      05-10-2016                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor appearing for the State.

The petitioner seeks bail in connection with Sessions  
Trial No. 107 of 2015, arising out Araria (Mahila) P.S. Case No.  
40 of 2013, registered for the offences punishable under Sections  
346, 370A, 376/34 of the Indian Penal Code and Section 5, 6, 8 of  
the Immoral Traffic Act.

Earlier the prayer for bail of the petitioner was  
rejected by this Court vide order dated 28.07.2015, passed in  
Criminal Miscellaneous No. 49811 of 2014.

Submission on behalf of the petitioner is that in  
course of trial, the informant was examined as prosecution witness  
No. 1 on 12.02.2016, but she has not supported the prosecution

case and rather, she even failed to identify the petitioner in dock.

Considering the aforesaid facts and circumstances as well as submissions of the parties, the petitioner above named is directed to be released on bail on execution of bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2<sup>nd</sup> Additional Sessions Judge, Araria, in connection with Sessions Trial No. 107 of 2015, arising out of Araria (Mahila) P.S. Case No. 40 of 2013.

**(Hemant Kumar Srivastava, J.)**

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