

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54688 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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Naushad Quraishi S/o Late Muslim Quraishi, Resident of Village- Babura,
P.S.- Bhabhua, District- Kaimur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 11-03-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 323 and 376 of the Indian Penal Code and 6 of the POCSO Act. 2012.

Allegation against the petitioner is of committing rape upon the informant.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. He has falsely been implicated in the present case. From perusal of the medical examination report (Annexure-3) it is evident that the allegation made in the F.I.R. has not been supported. From perusal of the 164 Cr. P.C. statement (Annexure-4) it is further evident that the victim claims that she is in love affair with the petitioner and she wants to marry him.

On behalf of the State and the informant, it is submitted that petitioner is named in the F.I.R. and there is direct allegation against him.

Considering paras-6 and 7 of the statement of the victim

recorded under Section 164 Cr. P.C., let the above named petitioner, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.D.J. Ist, Kaimur at Bhabhua, in connection with Mahila (Bhabhua) P.S. Case no. 47 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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