

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34596 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -BARARI District- KATIHAR

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Md. Alam S/o Md. Habibur Rahman@ Habbu, R/o- Marghia, Hakimtola,
P.S. Barari, Distt- katihar

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 19-10-2016

Heard both sides.

The petitioner apprehends his arrest in Barari P.S.
Case No. 121/2016, registered for the offences punishable under
Section 376 of the Indian Penal Code.

The informant filed a complaint case bearing no.
926/2001 alleging therein that the petitioner committed rape with
her on 28.06.2001. On the basis of aforesaid complaint petition the
present FIR was registered on 04.05.2016.

Learned counsel for the petitioner submits that after
filing of the complaint petition the complainant was married with
the petitioner but later on she died due to illness. The petitioner
solemnized marriage with the younger sister of the complainant.
The police after investigation submitted final form finding the case
false against the petitioner.

Considering the facts aforesaid, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 V, Katihar in connection with Barari P.S. Case No. 121/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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