

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15391 of 2016

Arising Out of PS.Case No. -1 Year- 2013 Thana -SIKTI District- ARRARIA

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Md. Jafrul, Son of Haji Raisuddin, Resident of Village- Simalmani, P.S.-
Sikty, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Pd. Nut (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-05-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in jail since 23.02.2016

in connection with Sikty P.S. Case No. 01/13 for offences alleged

under Section 376 of the Indian Penal Code.

The prosecution case, in brief, is that the accused

petitioner committed rape on the informant Bibi Ameurn while she

was going to the river to wash her clothes.

It has been submitted by the learned counsel for

the petitioner that the petitioner and the informant are neighbours

and there is long standing land dispute between the two, he has no

criminal antecedent and that the informant has entered into a

compromise with the petitioner stating therein that the said

occurrence never took place. He submits that the petitioner belongs to a respectable family and undertakes not to tamper with the evidence or abscond.

However, learned APP for the State submits that the petitioner is named in the First Information Report and the witnesses have supported the prosecution case, hence, opposes the prayer for bail.

Be that as it may, since the matter has already been compromised, let petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Sikty P.S. Case No. 01/13. However, it is made clear that the petitioner will appear before the police/ court as and when required and failure to appear on two consecutive dates will be liable for cancellation of his bail bonds.

(Nilu Agrawal, J.)

Rajesh/-

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