

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27438 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -MAHILA P.S. District- ARRARIA

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1. Akbaal Alam @ Akbaal @ Ekbaal, Son of Md. Jamil, resident of Village-
Jamua, Ward No.8, P.S.- Tarabari, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 07-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 27.02.2017 in
connection with Araria Mahila P.S. Case No. 004/2017 for
offences punishable under Section 376 of the Indian Penal Code
and Section 3, 4 of the Protection of Children from Sexual
Offences Act.

The prosecution case, as lodged by the informant, is
that while she was cutting grass along with other villagers, the
petitioner came and committed rape on her.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and



there was a marriage proposal between the victim and the petitioner, which did not materialize, hence, false allegation has been levelled and the informant has also stated the said fact before the learned court below by way of an affidavit along with her father. It is further submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned S.D.J.M., Araria, in connection with Araria Mahila P.S. Case No. 004/2017, subject to the condition that both the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating their relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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