

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49694 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -MAHILA PS District- DARBHANGA

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1. Chand Babu @ Md. Chand Babu, S/o-Md. Akhtar, R/o Village-Paithan
Kabai, P.S.-Manigachhi District-Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-11-2017 Heard the parties.

This application is for grant of regular bail in connection with Mahila (Manigachhi) P.S.Case No.10 of 2017 for the offences punishable under Sections 376, 323, 504, 506/34 of the Indian Penal Code.

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

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case, which will appear from the fact that after one year the present case has been lodged and moreover physical relation was made consensually. Further submission is that the informant is major. The petitioner is in custody since 31.7.2017.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that the girl has been raped on the assurance that he will marry with her.

Having heard both sides and in view of facts and circumstances, at this state, I am not inclined to grant bail to the petitioner, however, once the charge is framed in this case, the learned trial court shall release the petitioner on bail in connection with Mahila (Manigachhi) P.S.Case No.10 of 2017 to his own satisfaction with condition that he will co-operate in disposal of the trial.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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