

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56344 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -MAHILA P.S. District- ARRARIA

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Hafiz Mohammad Rabban @ Hafiz Rabban son of Aziz Ansari Resident of
Village - Rampur South, P.S. Forbesganj, Dist - Araria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Amrendra Kumar

For the Opposite Party/s : Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Araria
(Mahila) P.S.Case No. 42 of 2017 registered for the offences
punishable under Sections 376, 354, 341, 323 and 504 of the
Indian Penal Code.

Allegation against the petitioner is of committing rape
upon the informant on the assurance of marriage.

Submission of learned counsel for the petitioner is that
Medical Board has found her age to be 16-18 years and she was
consenting party having physical relationship with petitioner and,
as such, no case under Section 376 IPC is made out and he is in
custody for four months.

Heard learned APP also.



Having heard both sides and considering the facts and circumstances of the case, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Araria, in connection with Araria (Mahila) P.S.Case No. 42 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (2) Petitioner will co-operate in trial and appear on each and every date in court, except showing any genuine reason, failing which his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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