

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16590 of 2017

Arising Out of PS.Case No. -104 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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Md. Biltu Son of Late Latiful , Resident of Village- Dhangama, Police
Station-Palasi, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Araria Mahila P.S. Case No. 104 of 2016 registered for the offences punishable under Sections 448, 323, 379, 504, 506 and 376/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though there is allegation of rape also against the petitioner but FIR shows that petitioners along with others entered inside the house of the informant and committed theft of ornaments and other articles but the petitioners have falsely been implicated in this case as allegation is that, 10 years prior petitioner has committed rape upon her having two sons and now it is alleged that petitioner has committed theft in the house of informant.



Heard learned APP also.

Having heard both sides and considering the facts and circumstances, as stated above, let the petitioner, named above, in the event of his arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, 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. 104 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that petitioner shall co-operate in the investigation and make himself available before the police as and when required and in the event of failure on his part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of his bail bond and further petitioner will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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