

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47577 of 2016

Arising Out of PS.Case No. -61 Year- 2015 Thana -MAHILA P.S. District- KISANGANJ

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SHER ALAM @ SHAR ALAM, Son of Late Shamsul Haque, Resident of Village- Moheshpur, Police Station- Powakhali, in the district of Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Raj Kumar, Advocate.

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 27-02-2017

Heard learned counsel for the parties.

The petitioner seeks bail in a case registered under Sections 376, 313, 511, 504, 323/34 of the Indian Penal Code.

It has been submitted by the learned counsel for the petitioner that the petitioner has falsely been implicated in the case with a view to put pressure upon him to solemnize marriage with the prosecutrix. It has further been submitted that the F.I.R. has been lodged after five months of the alleged offence of rape committed by the petitioner. As per the medical report, the prosecutrix is major. The petitioner is in jail since 02.06.2016.

Learned A.P.P., however, opposed the prayer for bail and submitted that charge has been framed against the petitioner and other accused persons.

Considering the facts aforesaid and the fact that the



petitioner is in jail for about eight months, the above named petitioner is directed to 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 the learned Sessions Judge, Kishanganj in Sessions Trial No. 145/16, arising out of Kishanganj (Mahila) P.S. Case No. 61/2015 (G.R. No. 1818/2015).

(Arvind Srivastava, J)

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