

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12055 of 2017

Arising Out of PS.Case No. -18 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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Sarfaraz, S/o Mahboob @ Mangan, Resident of Village- Kakorwa, P.S.-
Araria, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sri Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 23-05-2017

Heard both sides.

The petitioner apprehends his arrest in Mahila P.S.
Case No.18 of 2016 registered for the offences punishable under
Section 376/34 of the Indian Penal Code.

The victim made allegation that while she was
coming to take water, Afsad dragged her into a house and
committed rape with her. On the next day, his brother Sarfaraz
came there and took to them to his house. Sarfaraz asked the
victim to go to her house and threatened her.

Learned counsel for the petitioner submits that the
petitioner is brother of Afsad. The victim lodged the case only to
put pressure so that she may be married to Afsad. The petitioner is
alleged to have abused the panches.



Considering the fact that the petitioner is not alleged to have misbehaved with the victim and the fact that Afsad is alleged to have committed rape on the informant and the petitioner is brother of Afsad , let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria Mahila P.S. Case No.18 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Arvind/-

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