

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49774 of 2016

Arising Out of PS.Case No. -187 Year- 2016 Thana -PHULPARAS District- MADHUBANI

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1. Md. Rahim @ Rahim Son of Noor Mohamad, Resident of Village-
Brahampur, P.S.- Phulpras, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 06-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 20.06.2016 in connection
with Phulpras P.S. Case No. 187 of 2016 registered under Sections 363,
366(A), 376, 511 of the Indian Penal Code and Section 4 of the POCSO
Act.

Accusation is of abduction and established physical
relation on the pretext of marriage.

Learned counsel for the petitioner has submitted that the
petitioner has falsely been implication in this case due to village
politics. In fact, no occurrence has taken place as alleged in the F.I.R.
No case of sexual assault is made out against this petitioner as there is
no medical report in this regard is available on record. Even as per the
F.I.R., no case of sexual assault is made out against the petitioner. It is



also evident from the F.I.R. that the petitioner was only trying to accommodate the informant in order to reach her house. The petitioner, happens to be a Tempo driver is of clean antecedent, is rotting in custody for the last seven months.

Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Madhubani in connection with Phulpras P.S. Case No. 187 of 2016.

(Arvind Srivastava, J)

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