

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46555 of 2017

Arising Out of PS.Case No. -323 Year- 2015 Thana -BARACHATTI District- GAYA

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Amin Alam, son of Habib Habri, resident of village Chanda, P.S. Barachatti
(Mohanpur), District Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Barachatti P.S. Case No. 323 of 2015 registered for the offences punishable under Section 376 of the Indian Penal Code.

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

Submission of learned counsel for the petitioner is that there was consensual sexual intercourse and the victim is major and FIR itself show that petitioner was ready to marry her and marriage could not solemnize because of objection of parents of the victim and, as such, he may be granted bail.

Heard learned APP also.

Having heard both sides and in view of facts and circumstances and petitioner is in custody since 25.11.2016, 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 Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Barachatti P.S. Case No. 323 of 2015, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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