

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46081 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -BALRAMPUR District- KATIHAR

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1. Md. Sabir Alam son of Md. Hassan, resident of Village- Veernagar, P.S.-
Balrampur, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-11-2017 Heard the parties.

The petitioner seeks regular bail in connection with
Complaint Case No.103 of 2017 cum Balrampur P.S.Case no.15
of 2017 registered for offences punishable under Sections 120B,
376, 313 and 420/34 of the Indian Penal Code.

Allegation against the petitioner and the other
accused persons is of committing rape upon the informant.

Submission of the learned counsel for the petitioner is
that there is delay of six months in lodging the FIR and the
prosecution story is that they have aborted the pregnancy, which
does not appear to be true as the medical report clearly shows that
there is no recent sign of abortion of the pregnancy. It has also
been submitted that the girl was found to be aged about 19 years
by the Medical Board.

Heard learned A.P.P. also, who has opposed the



prayer for bail.

Having heard both sides and in view of facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Katihar in connection with Complaint Case no.103 of 2017 cum Balrampur P.S.Case No.15 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be local person having sufficient immovable property within jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidences.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

With the aforesaid observation, this application is

allowed.

(Vinod Kumar Sinha, J)

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