

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30031 of 2017

Arising Out of PS.Case No. -73 Year- 2013 Thana -BENIPATTI District- MADHUBANI

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Md. Farman @ Hira S/o Late Elyas, resident of Village- Rajghatta, P.S.-
Benipatti, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Das

For the Opposite Party/s : Mr. Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-07-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Benipatti P.S.Case No. 73 of 2013 registered for the offences punishable under Sections 376, 120B, 323 and 504 of the Indian Penal Code.

Allegation against the petitioner of committing rape on the informant.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case and he is living in Nasik and seldom comes to the village and large number of witnesses have stated about falsity of the case and he is in custody for eight months.

Heard learned APP also, who has opposed the prayer for bail stating that in paragraphs 58 and 59 of the case diary witnesses have supported the prosecution case.



Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, 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 1st Additional Sessions Judge-cum-Special Judge, Madhubani, in connection with Benipatti P.S.Case No. 73 of 2013, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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