

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47118 of 2017

Arising Out of PS.Case No. -76 Year- 2016 Thana -MAHILA PS District- DARBHANGA

- =====
1. Md. Rahamtullah, Son of Abdul Mannan, R/o Village+P.S.- Raiyam District- Darbhanga.
 2. Md. Aale @ Aale Navi, s/o Md. Hira, r/v Rarsarai, P.S. Sakri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-10-2017 Heard learned counsel for the petitioners as well as learned A.P.P. for the State.

The petitioners seek bail in connection with Mahila P.S. Case No. 76/2016, registered for the offences punishable under Sections 363 and 376/34 of the Indian Penal Code.

Earlier prayer for bail of the petitioners was rejected, vide order at Annexure-1, with observation that the petitioners may renew their prayer for bail after framing of charge in this case.

Submission of learned counsel for the petitioners is that now charge has already been framed and they have already remained in custody for five months. It has also been submitted



that there is allegation against petitioner no.1 for kidnapping and against petitioner no. 2 for committing rape. The prosecution case is absurd since the girl was taken to Muzaffarpur and thereafter to Hyderabad but she did not raise hulla.

Further submission is that the petitioner is ready to abide by any conditions imposed by the Hon'ble Court

Heard learned A.P.P. also.

Having heard both sides, the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned IVth Additional Sessions Judge, Darbhanga, in connection with Mahila P.S. Case No. 76/2016, subject to conditions that one of the bailors should be close relative of the petitioners and another having sufficient immovable property within the jurisdiction of the court below with further condition that they will make himself available before the court below in first week of each months till conclusion of trial, otherwise his bail bond will be cancelled.

(Vinod Kumar Sinha, J.)

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