

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47315 of 2016

Arising Out of PS.Case No. -18 Year- 2015 Thana -MAHILA P.S. District- ARRARIA

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Md. Alam @ Perwez Alam Son of Md. Hasan Resident of Village-
Sisouna, Police Station- Araria, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra

For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 376 of the Indian Penal Code.

It is alleged that petitioner committed rape on
informant but submission on behalf of the petitioner is that in
course of investigation, witnesses vide paragraphs no. 16 and 17
disclosed that there was illicit relation between petitioner and
informant. Furthermore, some witnesses disclosed that informant
had taken loan from the petitioner and a Panchayati was held when
informant failed to return the aforesaid loan. However, the
witnesses also stated that on the alleged date of night petitioner
had gone to the house of the informant with an intent to establish



sexual relation with informant but when informant refused to oblige, the petitioner assaulted her and thereafter, the informant lodged the present case.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that investigation against the petitioner has already been completed, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Araria in connection with Araria (Mahila) P.S. Case No. 18 of 2015.

(Hemant Kumar Srivastava, J)

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