

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55882 of 2017

Arising Out of PS.Case No. -110 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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1. Md. Imamuddin, Son of Md. Siddique, Resident of Village- Baluwa,
Police Station- Mahalgaon (Jokihat), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-11-2017 The petitioner seeks regular bail in connection with

Araria Mahila P.S. Case No. 110 of 2016, registered for offences

punishable under Sections 376, 504, 506/34 of Indian Penal Code.

Allegation against the petitioner is of committing rape on

the informant, promising marriage and, thereafter, she became

pregnant and petitioner refused to marry her.

It has been submitted on behalf of the petitioner that he

has falsely been implicated in this case, which will appear from

the statement of girl recorded under Section 164 Cr.P.C, in which

it has been mentioned that no force was used rather it is a case of

consensual sex. Further 164 statement also shows that age of girl

has been assessed by the court below as 18 years. Petitioner has

been in custody since 06.09.2017.



Learned counsel for the State opposed the prayer for bail and submitted that the girl is minor as the medical board has assessed her age as fourteen years.

Having heard both sides, considering the fact and circumstances of the case and nature of allegation, at this stage, I am not inclined to release the petitioner on bail rather this application is disposed of with direction to the court below to release the petitioner to his own satisfaction once charge is framed in this case with an undertaking that he will cooperate in disposal of trial and shall remain present on each and every date except on some genuine reasons.

(Vinod Kumar Sinha, J)

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