

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12877 of 2018

Arising Out of PS.Case No. -101 Year- 2017 Thana -INDUSTRIAL District- BHAGALPUR

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Md. Tabraij, Son of Late Md. Parwaiz, Resident of Village- Fatehpur, P.S.-
Zero Mile, District- Bhagalpur.

... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sri Manoj Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 06-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is a case registered under Sections 452,376(D)
380,307,506 of the Indian Penal Code.

It is submitted on behalf of the petitioner that he has
falsely been implicated in this case. He emphasized on the falsity
of the implication by submitting that there is inconsistency
between the allegations made in the FIR and the statement of the
victim recorded under Section 164 Cr.P.C. He has also submitted
that during course of investigation medical evidence also does not
support or corroborate the allegation regarding the stabbing and
rape. It is also submitted that prior to the instant case, he is
accused in one more case in which he is on bail. He is in custody
since 19.09.2017.



In the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **Additional Chief Judicial Magistrate, 9, Bhagalpur** in **Area P.S. Case No. 101 of 2017** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner.
- (ii) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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