

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49384 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- RAXAUL District- East Champaran

Rahul Miyan @ Rahul Alam, Son of Alauddin Miyan, Resident of Village-
Dankan Sundarpur Road, P.S.- Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 26-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection with **Raxaul P.S.**
Case No. 109 of 2018 registered for the offence punishable
under Sections 366A, 376/34 of the Indian Penal Code.

Informant in his written complaint has alleged that his
minor daughter has been kidnapped and raped by petitioner.
However, the girl has been recovered and in her statement under
section 164 of the Cr.P.C has stated that she solemnized
marriage with petitioner and she had gone with him willingly
and on her own volition. The Medical Board has assessed her
age to be 22 years. Petitioner has got no criminal antecedent and
is in custody since 30.05.2018.

Considering the aforesaid facts and circumstances of



the case, let the petitioner named above be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **1st Additional Sessions Judge-cum-Special Judge, POCSO, East Champaran, Motihari**, in connection with **Raxaul P.S. Case No. 109 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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