

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55109 of 2018

Arising Out of PS.Case No. -57 Year- 2018 Thana -MAHILA P.S. District- ARRARIA

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1. Md. Jumman, Son of Md. Jamal, resident of Village- Chhoti Lahtora,
Ward NO. 6, P.S. and District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-10-2018 Heard the parties.

The petitioner seeks regular bail in connection with Araria Mahila P.s.Case no.57 of 2018 G.R.no.1769 of 2018 registered for offences punishable under 376 of the Indian Penal Code.

Allegation against the petitioner is of committing rape upon the informant and thereafter he married with another girl.

Submission of the learned counsel for the petitioner is that the FIR itself shows that marriage of the petitioner was fixed with the informant and when he did not get married with her, the present case has been lodged against him. He is in custody for about four months.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that there is allegation against the petitioner of



commission of rape.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the SDJM, Araria in connection with Araria Mahila P.S.case No.57 of 2018, G.r.No.1769 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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