

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60371 of 2018

Arising Out of PS.Case No. -137 Year- 2017 Thana -BAUSI District- PURNIA

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1. Md. Mujammil S/o Safik, R/o Vill.- Parlabari, P.O.- Chowki Haripur,
P.S.- Chowki, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-10-2018 The petitioner is in custody since 19.10.2016 in connection with Baisi P.S. Case No. 137 of 2017, registered for offences punishable under Sections 376, 323, 506/34 of the Indian Penal Code.

Allegation against the petitioner that he committed rape on the informant and promised her for marriage, thereafter, he continued to commit rape on her but did not marry her.

It has been submitted on behalf of the petitioner that the girl is major and from the F.I.R. itself it is evident that the informant was consenting party as earlier there was talk of marriage between the petitioner and informant but when the marriage could not be solemnized between them, the informant has come with this false case, for which, the petitioner has been in judicial custody since 21.05.2018.



Heard learned A.P.P. also.

Having heard both sides, considering the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000, (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Baisi P.S. Case No. 137 of 2017, 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 cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part 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.

(Vinod Kumar Sinha, J)

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