

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17925 of 2018

Arising Out of PS.Case No. -14 Year- 2017 Thana -MAHILA PS District- GAYA

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1. Md. Yasir Hamid @ Yasir Hamid @ Raunak S/o Md. Sharfuddin, R/o
Village- Bhushanda, P.S.- Muffasil, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shakib Ayaz

For the Opposite Party/s : Smt. Veena Rani Prasadd.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 06-04-2018 Heard both sides.

The petitioner apprehends his arrest in Mahila P.S. Case
No.14/2017 registered under Sections 376 and 506 of the Indian
Penal Code.

The informant alleged that the petitioner called her on
her mobile to come at Gaya station on 23.03.2017. When the
informant went there, the petitioner took her to hotel and asked her
to withdraw Sirdala (Meskaur) P.S. Case No.28 of 2015, lodged
against the petitioner. On the pretext of marriage, the petitioner
committed rape with her.

Learned counsel for the petitioner submits that from
bare perusal of the F.I.R. itself it appears that the victim is a
consenting party. The entire allegation is false and concocted.



Earlier the victim filed Sirdala (Meskaur) P.S. Case No.28 of 2015 corresponding to Sessions Trial No.615 of 2017 against the petitioner and others under Sections 313, 493, 506, 376, 420 of the Indian Penal Code and the aforesaid Sessions Trial ended in acquittal on 16.10.2017. In this case also, the petitioner entered into a compromise. The petitioner has already solemnized marriage with the victim.

Learned counsel for the petitioner submits that the petitioner is ready to keep his wife.

Mr. Manish Kumar, learned counsel appearing on behalf of the informant submits that he is not objecting the prayer for anticipatory bail of the petitioner but only prayer is that the petitioner may keep her properly.

Considering the aforesaid fact that petitioner had undertaken to keep his wife properly, the petitioner above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Gaya, in connection with Mahila P.S. Case No.14/2017, subject to conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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