

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45037 of 2018

Arising Out of PS.Case No. -434 Year- 2015 Thana -ARARIA District- ARARIA

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1. Rafique, S/o Late Hamid, resident of Village- Majkuri, P.S.- Araria,
R.S. Dist.- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-09-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The Petitioner seeks regular bail in connection with
Araria R. S. P. S. Case No. 434 of 2015, registered for offences
punishable under Sections 366, 376/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping and
subjected to rape the victim girl.

Submission of the learned counsel for the petitioner
is that the petitioner has falsely been implicated in this case and
the F.I.R. has been lodged after delay of more than one month
without any plausible reason and statement of the victim girl
recorded under Section 164 Cr.P.C. in which she has not named
this petitioner and the petitioner is in custody since 09.2.2018. It is



also submitted that the petitioner has no criminal antecedent.

Heard learned A.P.P also.

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/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S.Case No.434 of 2015, subject to the 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) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution is free to move for cancellation of his bail bonds

(Vinod Kumar Sinha, J)

Sudha/-

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