

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69690 of 2018

Arising Out of PS. Case No.-175 Year-2018 Thana- JOGBANI District- Araria

Umar Alam @ Nanhe, S/o Sarafat Baitha, Resident of Village- Amauna, Ward No. 2, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr. Sakir Ahmad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-12-2018 The petitioner seeks regular bail in connection with Jogbani P.S. Case No. 175 of 2018, G.R. No. 1951/2018, registered for offences punishable under Sections 376 and 366 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the daughter of the informant and taken her to Rajasthan and committed rape upon her.

Submission of learned counsel for the petitioner is that the whole prosecution case is false and concocted. Further submission is that the girl herself ran away from the house and gone to Rajasthan which is clear from para 8 of the case diary and the girl is major. It has also been submitted that her statement recorded under Section 164 Cr.P.C. looks improbable as she has forcibly taken by the petitioner to Rajasthan, but she



has never raised any *hulla* and petitioner is in judicial custody since 18.07.2018.

Heard learned A.P.P. also, who opposed the prayer for bail of the petitioner on the ground that the girl herself supported the prosecution case.

Having heard both sides, in view of the above facts, 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 A.C.J.M. 1st, Araria, in connection with Jogbani P.S. Case No. 175 of 2018, G.R. No. 1951/2018.

(Vinod Kumar Sinha, J)

Amjad/-

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