

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65534 of 2018

Arising Out of PS. Case No.-27 Year-2018 Thana- MAHILA P.S. District- Banka

Md. Afzalur Rahman @ Afzalu Rahman @ Mithu @ Md. Afzarul Rahman,
Son of Md. Fazlur Rahman, Resident of Village- Malia Chak, Police Station-
Hanwara, District- Godda (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-12-2018 The petitioner seeks bail in connection with Banka Mahila P.S.Case No. 27 of 2018 registered under Sections 376/34of the Indian penal Code.

Allegation against the petitioner is that when the informant was coming alone in night, she was apprehended by the petitioner coming on a Bolero vehicle and committed rape with her.

Submission of learned counsel for the petitioner is that from para 11, 12 and 13 of the case diary, it appears that there was love affair in between the parties and a Panchayati was also held but when petitioner agreed to marry her, this present false case has been lodged and the medical report also does not support the case and there is delay of 19 days in lodging the



FIR. He further submits that girl is major which will appear from the medical report and petitioner is in custody since 23.08.2018.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioner, abovenamed, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Banka in connection with Banka Mahila P.S. Case No. 27 of 2018 with condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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