

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10889 of 2018

Arising Out of PS.Case No. -296 Year- 2017 Thana -BARARI District- KATIHAR

Md. Ibran @ Ibrar @ Md. Ebrar Alam, son of Md. Yainul @ Md. Ainul Haque, resident of Village Jhunjhuna, PS Barari, District Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal,Sr.Advocate

Mr. Vijay Anand

For the Opposite Party/s : Mr. Sri Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 23-02-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Barari Semapur PS Case No. 296 of 2017 registered under Section 376 of the IPC.

The allegation in brief is that one year back the petitioner raped the prosecutrix while she had gone to ease herself and thereafter on the promise of marriage continued the physical relationship.

Learned Counsel for the petitioner submits that no allegation was leveled earlier to the present case, the allegation itself reveals that the relationship was consensual, the girl is major, she claims herself of 17 years of age but did not turn up for medical examination.

Having considered the said facts and circumstances, the petitioner, namely, Md. Ibran @ Ibrar @ Md. Ebrar Alam, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ACJM Katihar in connection with Barari Semapur PS Case No. 296 of 2017.

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(Arun Kumar, J.)

