

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47778 of 2018

Arising Out of PS.Case No. -65 Year- 2018 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Md. Javed Akhtar @ Md. Javed S/o Md. Sabir, R/o Vill.- Barbanna, P.S.-
Lalganj, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar @ Vijay Kr. Singh

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with Lalganj
P.S.Case No.65/2018 registered for offences punishable under
Section 366 of the Indian Penal Code.

Allegation against the petitioner is that he has taken the
victim with him and kept at the house of an Advocate at Hajipur
and the Advocate has committed rape upon her and thereafter she
was taken to Delhi and they remained there for 3-4 months and the
petitioner made physical relation with her and thereafter the
petitioner left her at Lalganj.

Submission of the learned counsel for the petitioner is that
the narration of the FIR itself shows that she is a consenting party
and she has disclosed her age as 20 years in her statement



recorded under Section 164 of the Cr.P.C. The petitioner is in custody since 28.4.2018.

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/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of CJM, Vaishali at Hajipur in connection with Lalganj P.S.Case no.65 of 2018.

With 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) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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