

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45926 of 2018

Arising Out of PS.Case No. -75 Year- 2017 Thana -MAHILA P.S. District- BHAGALPUR

=====

1. BABLOO YADAV @ DILIP YADAV @ DILIP KUMAR YADAV S/o
Bileshwar Yadav R/o Village- Barari, P.S. Barari, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-09-2018 The petitioner is in custody since 26.03.2018 in connection with Mahila P.S. Case No. 75 of 2017, registered for offences punishable under Sections 420 and 376 of the Indian Penal Code.

Allegation against the petitioner is that on the pretext of providing job, the petitioner has taken the prosecutrix and continuously committed rape upon her for a year.

Submission of learned counsel for the petitioner is that F.I.R. itself shows that she was a consenting party and the age of the girl according to the statement under Section 164 Cr.P.C. is 22 years and medical report also shows that she was a major and furthermore medical report does not support the allegation of rape and the petitioner is in custody since 26.03.2018.

Heard learned A.P.P. also.



Considering the aforementioned facts and circumstances, 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 S.D.J.M., Bhagalpur, in connection with Mahila P.S. Case No. 75 of 2017, 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 shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part 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.

(Vinod Kumar Sinha, J)

N.H./Amjad/-

U		T	
---	--	---	--

